

2003-1-107

SECTION 107. (a) IC 35-46-1-15.1, as amended by this act, applies only to an offense committed after June 30, 2002.

(b) A protective order issued before July 1, 2002, under IC 31-34-17, IC 31-37-16, or IC 34-26-2, all as repealed by this act, remains in effect for the period indicated in the court order granting the protective order.

(c) A protective order issued before July 1, 2002, under IC 31-14-16 or IC 31-15-5, as amended by this act, remains in effect for the period indicated in the court order granting the protective order.

(d) After June 30, 2002, a protected person must use the forms developed by the division of state court administration under IC 34-26-5-3, as added by this act, if the person is seeking an extension or a modification of an order issued under subsection (b) or (c).

2003-1-108

SECTION 108. (a) The definitions in IC 25-23.7-2, as added by this act, apply throughout this SECTION.

(b) An individual who applies for a license as an installer of a manufactured home under IC 25-23.7-5, as added by this act, is not required to comply with IC 25-23.7-5-2(1)(D), as added by this act. Such an individual is required to do the following:

- (1) Show to the satisfaction of the board that the individual is an experienced installer.
- (2) Comply with the other requirements of IC 25-23.7-5-2, as added by this act.

(c) This SECTION expires July 1, 2006.

2003-1-109

SECTION 109. (a) As used in this SECTION, "commissioner" refers to the commissioner of the Indiana department of administration.

(b) As used in this SECTION, "department" refers to the Indiana department of administration created by IC 4-13-1-2.

(c) As used in this SECTION, "grantee" refers to Ivy Tech State College.

(d) As used in this SECTION, "parcel 1" refers to the following described real estate:

Part of the Southwest Quarter of Section 20, Township 31 North, Range 13 East of the Second Principal Meridian in Allen County, Indiana, more particularly described as follows:

Commencing at a 1 inch brass pin found at the Southwest corner of the Southwest Quarter; thence North 00 degrees, 42 minutes, 00 seconds West, (assumed bearing and basis of bearings to follow), a distance of 875.00 feet along the West line of the Southwest Quarter and the centerline of St. Joe Road; thence North 89 degrees, 18 minutes, 00 seconds East, a distance of 81.20 feet to an east right-of-way line of St. Joe Road; thence North 65 degrees, 31 minutes, 43 seconds East, a distance of 12.80 feet along the right-of-way line to an east right-of-way line

of St. Joe Road; thence North 00 degrees, 30 minutes, 32 seconds West, a distance of 54.84 feet along the right-of-way line to a 5/8 inch steel rebar set at the POINT OF BEGINNING of this description; thence continuing North 00 degrees, 30 minutes, 32 seconds West, a distance of 2.16 feet along the right-of-way line to a 5/8 inch steel rebar set; thence North 66 degrees, 32 minutes, 47 seconds West, a distance of 49.24 feet along the right-of-way line to a 5/8 inch steel rebar set; thence North 00 degrees, 30 minutes, 32 seconds West, a distance of 25.65 feet along the right-of-way line to a tangent curve, concave to the East, having a radius of 3774.72 feet; thence northerly along the curve and the right-of-way line a distance of 245.63 feet, having a central angle of 03 degrees, 43 minutes, 42 seconds, and a chord of 245.58 feet bearing North 01 degrees, 21 minutes, 19 seconds East to a 5/8 inch steel rebar set at the point of tangency; thence North 03 degrees, 13 minutes, 10 seconds East, a distance of 39.33 feet along the right-of-way line to a 5/8 inch steel rebar set on a tangent curve, concave to the West, having a radius of 3864.72 feet; thence northerly along the curve and the right-of-way line a distance of 66.73 feet, having a central angle of 00 degrees, 59 minutes, 21 seconds, and a chord of 66.72 feet bearing North 02 degrees, 43 minutes, 29 seconds East to a 5/8 inch steel rebar set; thence North 89 degrees, 18 minutes, 00 seconds East, a distance of 95.95 feet to a 5/8 inch steel rebar set; thence North 00 degrees, 42 minutes, 00 seconds West, a distance of 50.00 feet to a 5/8 inch steel rebar set; thence South 89 degrees, 18 minutes, 00 seconds West, a distance of 93.72 feet to a 5/8 inch steel rebar set on the east right-of-way line of St. Joe Road, also being a nontangent curve, concave to the West, having a radius of 3864.72 feet; thence northerly along the curve and the right-of-way line a distance of 160.56 feet, having a central angle of 02 degrees, 22 minutes, 50 seconds, and a chord of 160.56 feet bearing North 00 degrees, 17 minutes, 53 seconds East to a 5/8 inch steel rebar set at the point of tangency; thence North 00 degrees, 53 minutes, 32 seconds West, a distance of 476.10 feet along the east right-of-way line to a 5/8 inch steel rebar set; thence South 86 degrees, 42 minutes, 36 seconds East, a distance of 343.35 feet to a 5/8 inch steel rebar set; thence South 89 degrees, 07 minutes, 22 seconds East, a distance of 223.92 feet to a 5/8 inch steel rebar set; thence South 00 degrees, 52 minutes, 38 seconds West, a distance of 46.59 feet to a 5/8 inch steel rebar set; thence North 89 degrees, 17 minutes, 51 seconds East, a distance of 44.11 feet to a 5/8 inch steel rebar set; thence South 00 degrees, 42 minutes, 09 seconds East, a distance of 360.32 feet to a 5/8 inch steel rebar set; thence South 89 degrees, 17 minutes, 51 seconds West, a distance of 65.00 feet; thence South 00 degrees, 42 minutes, 09 seconds East, a distance of 60.00 feet; thence North 89 degrees, 17 minutes, 51 seconds East, a distance of 65.00 feet to a 5/8 inch steel rebar set; thence South 00 degrees,

42 minutes, 09 seconds East, a distance of 264.24 feet to a 5/8 inch steel rebar set; thence South 89 degrees, 17 minutes, 51 seconds West, a distance of 41.74 feet to a 5/8 inch steel rebar set; thence South 01 degrees, 02 minutes, 54 seconds East, a distance of 38.87 feet to a 5/8 inch steel rebar set; thence North 89 degrees, 17 minutes, 51 seconds East, a distance of 41.66 feet; thence North 01 degrees, 02 minutes, 54 seconds West, a distance of 25.48 feet to a 5/8 inch steel rebar set; thence North 88 degrees, 57 minutes, 06 seconds East, a distance of 657.00 feet to a 5/8 inch steel rebar set; thence South 01 degrees, 06 minutes, 51 seconds East, a distance of 250.49 feet to a 5/8 inch steel rebar set; thence South 88 degrees, 58 minutes, 30 seconds West, a distance of 656.47 feet to a 5/8 inch steel rebar set at a tangent curve, concave to the South, having a radius of 860.00 feet, thence westerly along the curve, a distance of 211.44 feet, having a central angle of 14 degrees, 05 minutes, 11 seconds, and a chord of 210.90 feet bearing South 81 degrees, 55 minutes, 54 seconds West to a 5/8 inch steel rebar set at the point of tangency; thence South 74 degrees, 53 minutes, 19 seconds West, a distance of 55.77 feet to a 5/8 inch steel rebar set at a tangent curve, concave to the North, having a radius of 640.00 feet, thence westerly along the curve, a distance of 160.98 feet, having a central angle of 14 degrees, 24 minutes, 42 seconds, and a chord of 160.56 feet bearing South 82 degrees, 05 minutes, 39 seconds West to a 5/8 inch steel rebar set at the point of tangency; thence South 89 degrees, 18 minutes, 00 seconds West, a distance of 163.18 feet to the POINT OF BEGINNING. Containing 18.224 acres, more or less.

(e) As used in this SECTION, "parcel 2" refers to the following described real estate:

Part of the Southwest Quarter of Section 20, Township 31 North, Range 13 East of the Second Principal Meridian in Allen County, Indiana, more particularly described as follows:

Commencing at a 1 inch brass pin found at the Southwest corner of the Southwest Quarter; thence North 00 degrees, 42 minutes, 00 seconds West, (assumed bearing and basis of bearings to follow), a distance of 875.00 feet along the West line of the Southwest Quarter and the centerline of St. Joe Road; thence North 89 degrees, 18 minutes, 00 seconds East, a distance of 81.20 feet to a east right-of-way line of St. Joe Road, also being the POINT OF BEGINNING of this description; thence North 65 degrees, 31 minutes, 43 seconds East, a distance of 12.80 feet along the right-of-way line to a east right-of-way line of St. Joe Road to a 5/8 inch steel rebar set; thence North 00 degrees, 30 minutes, 32 seconds West, a distance of 54.84 feet along the right-of-way line to a 5/8 inch steel rebar set; thence North 89 degrees, 18 minutes, 00 seconds East, a distance of 163.18 feet to a 5/8 inch steel rebar set at a tangent curve, concave to the North, having a radius of 640.00 feet, thence easterly along the curve a

distance of 160.98 feet, having a central angle of 14 degrees, 24 minutes, 42 seconds, and a chord of 160.56 feet bearing North 82 degrees, 05 minutes, 39 seconds East to a 5/8 inch steel rebar set at the point of tangency; thence North 74 degrees, 53 minutes, 19 seconds East, a distance of 55.77 feet to a 5/8 inch steel rebar set at a tangent curve, concave to the South, having a radius of 860.00 feet; thence easterly along the curve a distance of 211.44 feet, having a central angle of 14 degrees, 05 minutes, 11 seconds, and a chord of 210.90 feet bearing North 81 degrees, 55 minutes, 54 seconds East to a 5/8 inch steel rebar set at the point of tangency; thence North 88 degrees, 58 minutes, 30 seconds East, a distance of 656.47 feet to a 5/8 inch steel rebar set; thence North 01 degrees, 06 minutes, 51 seconds West, a distance of 250.49 feet to a 5/8 inch steel rebar set; thence North 88 degrees, 57 minutes, 06 seconds East, a distance of 50.00 feet to a 5/8 inch steel rebar set; thence South 01 degrees, 06 minutes, 51 seconds East, a distance of 310.56 feet to a 5/8 inch steel rebar set; thence South 88 degrees, 58 minutes, 30 seconds West, a distance of 706.56 feet to a 5/8 inch steel rebar set at a tangent curve, concave to the South, having a radius of 800.00 feet, thence westerly along the curve, a distance of 196.68 feet, having a central angle of 14 degrees, 05 minutes, 11 seconds, and a chord of 196.19 feet bearing South 81 degrees, 55 minutes, 54 seconds West to a 5/8 inch steel rebar set at the point of tangency; thence South 74 degrees, 53 minutes, 19 seconds West, a distance of 55.77 feet to a 5/8 inch steel rebar set at a tangent curve, concave to the North, having a radius of 700.00 feet, thence westerly along the curve, a distance of 176.07 feet, having a central angle of 14 degrees, 24 minutes, 42 seconds, and a chord of 175.61 feet bearing South 82 degrees, 05 minutes, 39 seconds West to a 5/8 inch steel rebar set at the point of tangency; thence South 89 degrees, 18 minutes, 00 seconds West, a distance of 175.07 feet to the POINT OF BEGINNING. Containing 2.076 acres, more or less.

(f) As used in this SECTION, "parcel 3" refers to the following described real estate:

Part of the Southwest Quarter of Section 20, Township 31 North, Range 13 East of the Second Principal Meridian in Allen County, Indiana, more particularly described as follows:

Commencing at a 1 inch brass pin found at the Southwest corner of the Southwest Quarter; thence North 00 degrees, 42 minutes, 00 seconds West, (assumed bearing and basis of bearings to follow), a distance of 2303.57 feet along the West line of the Southwest Quarter and the centerline of St. Joe Road; thence North 89 degrees, 06 minutes, 28 seconds East, a distance of 66.22 feet to a 5/8 inch steel rebar set on the east right-of-way line of St. Joe Road, also being the POINT OF BEGINNING of this description; thence North 00 degrees, 53 minutes, 32 seconds West, a distance of 50.00 feet along the right-of-way line to a 5/8

inch steel rebar set; thence North 89 degrees, 06 minutes, 28 seconds East, a distance of 198.29 feet; thence South 01 degrees, 15 minutes, 11 seconds East, a distance of 297.44 feet to a 5/8 inch steel rebar set; thence South 86 degrees, 42 minutes, 36 seconds East, a distance of 145.25 feet to a PK Nail set; thence South 89 degrees, 07 minutes, 22 seconds East, a distance of 314.36 feet to a 5/8 inch steel rebar set; thence South 00 degrees, 42 minutes, 09 seconds East, a distance of 791.69 feet to a 5/8 inch steel rebar set; thence South 88 degrees, 57 minutes, 06 seconds West, a distance of 50.00 feet to a 5/8 inch steel rebar set; thence South 01 degrees, 02 minutes, 54 seconds East, a distance of 25.48 feet to a 5/8 inch steel rebar set; thence South 89 degrees, 17 minutes, 51 seconds West, a distance of 41.66 feet to a 5/8 inch steel rebar set; thence North 01 degrees, 02 minutes, 54 seconds West, a distance of 38.87 feet to a 5/8 inch steel rebar set; thence North 89 degrees, 17 minutes, 51 seconds East, a distance of 41.74 feet to a 5/8 inch steel rebar set; thence North 00 degrees, 42 minutes, 09 seconds West, a distance of 264.24 feet to a 5/8 inch steel rebar set; thence South 89 degrees, 17 minutes, 51 seconds West, a distance of 65.00 feet to a 5/8 inch steel rebar set; thence North 00 degrees, 42 minutes, 09 seconds West, a distance of 60.00 feet to a 5/8 inch steel rebar set; thence North 89 degrees, 17 minutes, 51 seconds East, a distance of 65.00 feet to a 5/8 inch steel rebar set; thence North 00 degrees, 42 minutes, 09 seconds West, a distance of 743.35 feet to a 5/8 inch steel rebar set; thence South 89 degrees, 17 minutes, 51 seconds West, a distance of 44.11 feet to a 5/8 inch steel rebar set; thence North 00 degrees, 52 minutes, 38 seconds East, a distance of 46.59 feet to a 5/8 inch steel rebar set; thence North 89 degrees, 07 minutes, 22 seconds West, a distance of 223.93 feet to a PK Nail set; thence North 86 degrees, 42 minutes, 36 seconds West, a distance of 303.54 feet to a 5/8 inch steel rebar set; thence North 03 degrees, 17 minutes, 24 seconds East, a distance of 50.00 feet to a 5/8 inch steel rebar set; thence South 86 degrees, 42 minutes, 36 seconds East, a distance of 107.08 feet to a 5/8 inch steel rebar set; thence North 01 degrees, 15 minutes, 11 seconds West, a distance of 243.78 feet to a 5/8 inch steel rebar set; thence South 89 degrees, 06 minutes, 28 seconds West, a distance of 148.61 feet to the POINT OF BEGINNING. Containing 2.245 acres, more or less.

(g) As used in this SECTION, "parcel 4" refers to the following described real estate:

Part of the Southwest Quarter of Section 20, Township 31 North, Range 13 East of the Second Principal Meridian in Allen County, Indiana, more particularly described as follows:

Commencing at a 1 inch brass pin found at the Southwest corner of the Southwest Quarter; thence North 00 degrees, 42 minutes, 00 seconds West, (assumed bearing and basis of bearings to follow), a distance of 1334.23 feet along the west line of the

Southwest Quarter and the centerline of St. Joe Road; thence North 89 degrees, 18 minutes, 00 seconds East, a distance of 63.73 feet to a 5/8 inch steel rebar set on the east right-of-way line of St. Joe Road, this point also being the POINT OF BEGINNING of this description, also being on a non-tangent curve, concave to the West, having a radius of 3864.72 feet; thence northerly along the curve and the right-of-way line a distance of 50.05 feet, having a central angle of 00 degrees, 44 minutes, 31 seconds, and a chord of 50.05 feet bearing North 01 degrees, 51 minutes, 33 seconds East to a 5/8 inch steel rebar set; thence North 89 degrees, 18 minutes, 00 seconds East, a distance of 93.72 feet to a 5/8 inch steel rebar set; thence South 00 degrees, 42 minutes, 00 seconds East, a distance of 50.00 feet to a 5/8 inch steel rebar set; thence South 89 degrees, 18 minutes, 00 seconds West, a distance of 95.95 feet to the POINT OF BEGINNING. Containing 0.109 acres, more or less.

(h) The governor and the commissioner are authorized and directed on behalf of and in the name of the state of Indiana to convey parcel 1 to the grantee. The conveyance of parcel 1 shall be made without consideration.

(i) Conveyance of parcel 1 is subject to the following:

(1) Highways, easements, and restrictions of record.

(2) Use of parcel 1 by the grantee for the future growth and development of Ivy Tech State College in Fort Wayne, Indiana.

(j) If parcel 1 is used for any purpose other than for the future growth and development of Ivy Tech State College in Fort Wayne, Indiana, title to parcel 1 reverts to the state of Indiana, subject to subsection (k).

(k) The reversionary interest of the state described in subsection (j) is subject to any recorded liens and encumbrances on parcel 1 that result from an unsatisfied indebtedness incurred by the grantee to improve parcel 1 to carry out the purposes stated in subsection (i)(2).

(l) The conveyance under this SECTION must comply with IC 4-20.5-7 to the extent that IC 4-20.5-7 does not conflict with the intent of this SECTION, which is to provide for the transfer of parcel 1 to the grantee. The department shall have a quitclaim deed prepared to convey parcel 1 to the grantee. The deed must state the restrictions and conditions contained in subsections (i), (j), and (k). The commissioner and the governor shall sign the deed, and the seal of the state shall be affixed to the deed.

(m) The department shall deliver the completed deed to the grantee. The grantee shall have the deed recorded in Allen County, Indiana.

(n) The governor and the commissioner are authorized and directed on behalf of and in the name of the state of Indiana to grant easements to the grantee in parcel 2, parcel 3, and parcel 4 for the grantee and its invitees to have ingress to and egress from parcel 1 and to have access to utilities. The grant shall be made without consideration. The easements are subject to highways, other easements, and restrictions of record.

(o) The grantee shall have the easements recorded in Allen County, Indiana.

(p) The easements granted under subsection (n) must comply with IC 4-20.5-7 to the extent that IC 4-20.5-7 does not conflict with the intent of this SECTION for the grantee and its invitees to have adequate ingress to and egress from parcel 1 and to have access to utilities.

(q) This SECTION expires July 1, 2007.

2003-1-110

SECTION 110. (a) Notwithstanding P.L.291-2001, SECTION 5, the total operating expense for all universities shall be reduced by \$29,000,000 for FY 2002-2003. The amount of the reduction for each main and regional campus equals the amount determined under STEP FOUR of the following formula:

STEP ONE: Determine the amount of the total operating appropriation to the campus.

STEP TWO: Determine the amount of the total operating appropriations for all university campuses.

STEP THREE: Divide the STEP ONE amount by the STEP TWO amount.

STEP FOUR: Multiply the STEP THREE amount by \$29,000,000.

(b) Notwithstanding P.L.291-2001, SECTIONS 5 and 38, and any other law, universities may use a part of the money allocated to them from the appropriation from the BUILD INDIANA FUND (BIF) (IC 4-30-17), FOR THE BUDGET AGENCY, Higher Education Technology, for operating expenses to defray the reductions under subsection (a). The amount available for operating expense may not exceed a total of \$29,000,000. The formula in subsection (a) shall be used to determine the amount main and regional campuses shall receive.

2003-1-111

SECTION 111. (a) As used in this SECTION, "commission" refers to the Indiana commission on excellence in health care established by subsection (d).

(b) As used in this SECTION, "health care professional" has the meaning set forth in IC 16-27-1-1.

(c) As used in this SECTION, "health care provider" includes the following:

(1) A hospital or an ambulatory outpatient surgical center licensed under IC 16-21.

(2) A hospice program (as defined in IC 16-25-1.1-4).

(3) A home health agency licensed under IC 16-27-1.

(4) A health facility licensed under IC 16-28.

(d) There is established the Indiana commission on excellence in health care.

(e) The commission consists of the following members:

- (1) Four (4) members appointed from the house of representatives by the speaker of the house of representatives. Not more than two (2) of the members appointed under this subdivision may be members of the same political party.
- (2) Four (4) members appointed from the senate by the president pro tempore of the senate. Not more than two (2) of the members appointed under this subdivision may be members of the same political party.
- (3) The governor or the governor's designee.
- (4) The state health commissioner appointed under IC 16-19-4-2 or the commissioner's designee.
- (5) One (1) member appointed by the governor who is a former dean or former faculty member of the Indiana University School of Medicine.
- (6) One (1) member appointed by the governor who is a former dean or former faculty member of an Indiana school of nursing.
- (7) One (1) member appointed by the governor who is a health care provider or a representative for individuals who have both a mental illness and a developmental disability.
- (f) The commission shall operate under the rules of the legislative council. The commission shall meet upon the call of the chairperson.
- (g) The affirmative votes of at least seven (7) voting members of the commission are required for the commission to take any action, including the approval of a final report.
- (h) The speaker of the house of representatives shall appoint the chairperson of the commission during odd-numbered years beginning January 1. The president pro tempore of the senate shall appoint the chairperson of the commission during even-numbered years beginning January 1.
- (i) Each member of the commission who is not a state employee is entitled to the minimum salary per diem provided by IC 4-10-11-2.1(b). The member is also entitled to reimbursement for traveling expenses as provided under IC 4-13-1-4 and other expenses actually incurred in connection with the member's duties as provided in the state policies and procedures established by the Indiana department of administration and approved by the budget agency.
- (j) Each member of the commission who is a state employee but who is not a member of the general assembly is entitled to reimbursement for traveling expenses as provided under IC 4-13-1-4 and other expenses actually incurred in connection with the member's duties as provided in the state policies and procedures established by the Indiana department of administration and approved by the budget agency.
- (k) Each member of the commission who is a member of the general assembly is entitled to receive the same per diem, mileage, and travel allowances paid to members of the general assembly serving on interim study committees established by the legislative council.
- (l) The legislative services agency shall provide staff to support the commission. The legislative services agency is not required to provide

staff assistance to the subcommittees of the commission except to the extent the subcommittees require copying services.

(m) The expenses of the commission shall be paid from funds appropriated to the legislative services agency.

(n) The commission shall study the quality of health care, including mental health, and develop a comprehensive statewide strategy for improving the health care delivery system. The commission shall do the following:

- (1) Identify existing data sources that evaluate quality of health care in Indiana and collect, analyze, and evaluate this data.
- (2) Establish guidelines for data sharing and coordination.
- (3) Identify core sets of quality measures for standardized reporting by appropriate components of the health care continuum.
- (4) Recommend a framework for quality measurement and outcome reporting.
- (5) Develop quality measures that enhance and improve the ability to evaluate and improve care.
- (6) Make recommendations regarding research and development needed to advance quality measurement and reporting.
- (7) Evaluate regulatory issues relating to the pharmacy profession and recommend changes necessary to optimize patient safety.
- (8) Facilitate open discussion of a process to ensure that comparative information on health care quality is valid, reliable, comprehensive, understandable, and widely available in the public domain.
- (9) Sponsor public hearings to share information and expertise, identify best practices, and recommend methods to promote their acceptance.
- (10) Evaluate current regulatory programs to determine what changes, if any, need to be made to facilitate patient safety.
- (11) Review public and private health care purchasing systems to determine if there are sufficient mandates and incentives to facilitate continuous improvement in patient safety.
- (12) Analyze how effective existing regulatory systems are in ensuring continuous competence and knowledge of effective safety practices.
- (13) Develop a framework for organizations that license, accredit, or credential health care professionals and health care providers to more quickly and effectively identify unsafe providers and professionals and to take action necessary to remove an unsafe provider or professional from practice or operation until the professional or provider has proven safe to practice or operate.
- (14) Recommend procedures for development of a curriculum on patient safety and methods of incorporating the curriculum into training, licensure, and certification requirements.
- (15) Develop a framework for regulatory bodies to disseminate information on patient safety to health care professionals, health care providers, and consumers through conferences, journal

articles and editorials, newsletters, publications, and Internet web sites.

(16) Recommend procedures to incorporate recognized patient safety considerations into practice guidelines and into standards related to the introduction and diffusion of new technologies, therapies, and drugs.

(17) Recommend a framework for development of community based collaborative initiatives for error reporting and analysis and implementation of patient safety improvements.

(18) Evaluate the role of advertising in promoting or adversely affecting patient safety.

(19) Evaluate and make recommendations regarding the need for licensure of additional persons who participate in the delivery of health care to Indiana residents.

(20) Evaluate the benefits and problems of the current disciplinary systems and make recommendations regarding alternatives and improvements.

(21) Study and make recommendations concerning the long term care system, including self-directed care plans and the regulation and reimbursement of public and private facilities that provide long term care.

(22) Study and make recommendations concerning increasing the number of:

- (A) nurses;
- (B) respiratory care practitioners;
- (C) speech pathologists; and
- (D) dental hygienists.

(23) Study any other topic required by the chairperson.

(o) The commission may create subcommittees to study topics, receive testimony, and prepare reports on topics assigned by the commission. The chairperson shall select from the topics listed under subsection (n) the topics to be studied by the commission and subcommittees each year. The chairperson shall appoint persons to act as chairperson and secretary of each subcommittee. The commission shall by majority vote appoint initial members to each subcommittee. Each subcommittee may by a majority vote of the members appointed to the subcommittee make a recommendation to the commission to appoint additional members to the subcommittee. The commission may by a majority vote of the members appointed to the commission appoint or remove members of a subcommittee. A member of a subcommittee, including a commission member while serving on a subcommittee, is not entitled to per diem, mileage, or travel allowances.

(p) The commission shall submit:

(1) interim reports not later than October 1, 2001, and October 1, 2002; and

(2) a final report not later than October 1, 2003;

to the governor, members of the health finance commission, and the legislative council. With the consent of the chairperson of the commission and the chairperson of the health finance commission, the

commission and the health finance commission may conduct joint meetings.

(q) This SECTION expires July 1, 2004.

2003-1-112

SECTION 112. (a) As used in this SECTION, "commission" refers to the Indiana commission on mental health established by this SECTION.

(b) The Indiana commission on mental health is established.

(c) The commission consists of seventeen (17) members determined as follows:

(1) The speaker of the house of representatives and the president pro tempore of the senate shall each appoint two (2) legislative members, who may not be from the same political party, to serve on the commission.

(2) The governor shall appoint thirteen (13) lay members, not more than seven (7) of whom may be from the same political party, to serve on the commission as follows:

(A) Four (4) at-large members, not more than two (2) of whom may be from the same political party.

(B) Two (2) consumers of mental health services.

(C) Two (2) representatives of different advocacy groups for consumers of mental health services.

(D) Two (2) members of families of consumers of mental health services.

(E) Three (3) members who represent mental health providers. One (1) of the members appointed under this clause must be a representative of a for-profit psychiatric provider. One (1) of the members appointed under this clause must be a physician licensed under IC 25-22.5.

(d) Except for the members appointed under subsection (c)(2)(E), the members of the commission may not have a financial interest in the subject matter to be studied by the commission.

(e) The chairman of the legislative council shall designate a legislative member of the commission to serve as chairman of the commission.

(f) Each legislative member and each lay member of the commission is entitled to receive the same per diem, mileage, and travel allowances paid to individuals serving as legislative and lay members, respectively, on interim study committees established by the legislative council.

(g) The commission shall do the following:

(1) Study and evaluate the funding system for managed care providers of mental health services.

(2) Review and make specific recommendations regarding the provision of mental health services delivered by community managed care providers and state operated hospitals.

(3) Review and make recommendations regarding any unmet need for public supported mental health services in any specific

geographic area or throughout Indiana. In formulating these recommendations, the commission shall consider the need, feasibility, and desirability of including additional organizations in the network of managed care providers.

(4) Review the results of the actuarial study which must be submitted by the division of mental health and addiction to the commission not later than thirty (30) days after completion of the actuarial study.

(5) Make recommendations regarding the application of the actuarial study by the division of mental health and addiction to the determination of service needs, eligibility criteria, payment, and prioritization of service.

(h) The commission shall:

(1) monitor the implementation of managed care programs for all populations of the mentally ill that are eligible for care that is paid for in part or in whole by the state; and

(2) make recommendations regarding the commission's findings under subdivision (1) to the appropriate division or department.

(i) This SECTION expires January 1, 2004.

2003-6-8

SECTION 8. (a) As used in this SECTION, "board" refers to the board of accountancy established by IC 25-2.1-2-1.

(b) If a candidate has earned conditional credits on the written examination administered under IC 25-2.1-3-6:

(1) before the repeal of IC 25-2.1-3-6 by this act; and

(2) as of the launch date of the computer based Uniform CPA Examination;

the candidate shall retain conditional credits for the corresponding test sections of the computer based Uniform CPA Examination, as defined by rules adopted by the board.

(c) The board may adopt emergency rules in the manner provided for the adoption of emergency rules under IC 4-22-2-37.1 to implement subsection (b) and to allow candidates who do not pass all sections of the computer based Uniform CPA Examination to receive conditional credit for those sections passed in a manner consistent with the provisions of the Uniform Accountancy Act and Uniform Accountancy Act Rules published jointly by the National Association of State Boards of Accountancy and the American Institute of Certified Public Accountants. An emergency rule adopted under this subsection expires on the earlier of the following:

(1) The date that a permanent rule adopted under IC 4-22-2-37.1 supersedes an emergency rule adopted under this subsection.

(2) December 31, 2004.

2003-9-5

SECTION 5. IC 35-46-3-11 and IC 35-46-3-11.5, both as amended by this act, and IC 35-46-3-11.3, as added by this act, apply only to offenses committed after June 30, 2003.

2003-10-4

SECTION 4. Notwithstanding the repeal of IC 20-5-4-1.7, as added by P.L.253-2001, SECTION 1, the following provisions apply to bonds issued under IC 20-5-4-1.7, as added by P.L.253-2001, SECTION 1, before December 31, 2004:

- (1) The bonds remain valid and binding obligations of the school corporation that issued them, as if IC 20-5-4-1.7 had not been repealed.
- (2) Each year that a debt service levy is needed for the bonds, the school corporation that issued the bonds shall reduce its total property tax levy for the school corporation's other funds in an amount equal to the property tax levy needed for the debt service on the bonds.

2003-11-3

SECTION 3. (a) As used in this SECTION, "division" refers to the division of mental health and addiction.

(b) Except as provided in subsection (c), notwithstanding IC 12-23-1-6(4), IC 12-23-14-7, and 440 IAC 4.4-2-1(e), the division may not grant specific approval to be a new provider of any of the following:

- (1) Methadone.
- (2) Levo-alpha-acetylmethadol.
- (3) Levo-alpha-acetylmethadol.
- (4) Levomethadyl acetate.
- (5) LAAM.
- (6) Buprenorphine.

(c) The division may not grant specific approval to be a new provider of one (1) or more of the drugs listed under subsection (b) unless:

- (1) the drugs will be provided in a county with a population of more than forty thousand (40,000);
- (2) there are no other providers located in the county or in a county contiguous to the county where the provider will provide the drugs; and
- (3) the provider supplies, in writing:
 - (A) a needs assessment for Indiana citizens under guidelines established by the division; and
 - (B) any other information required by the division.

(d) Except as provided in subsection (k), the division shall prepare a report by June 30 of each year concerning treatment offered by methadone providers that contains the following information:

- (1) The number of methadone providers in the state.
- (2) The number of patients on methadone during the previous year.
- (3) The length of time each patient received methadone and the average length of time all patients received methadone.
- (4) The cost of each patient's methadone treatment and the average cost of methadone treatment.

(5) The rehabilitation rate of patients who have undergone methadone treatment.

(6) The number of patients who have become addicted to methadone.

(7) The number of patients who have been rehabilitated and are no longer on methadone.

(8) The number of individuals, by geographic area, who are on a waiting list to receive methadone.

(9) Patient information as reported to a central registry created by the division.

(e) Each methadone provider in the state shall provide information requested by the division for the report under subsection (d). The information provided to the division may not reveal the specific identity of a patient.

(f) The information provided to the division under subsection (e) must be based on a calendar year.

(g) The information required under subsection (e) for calendar year 1998 must be submitted to the division not later than June 30, 1999. Subsequent information must be submitted to the division not later than:

(1) February 29, 2004, for calendar year 2003;

(2) February 28, 2005, for calendar year 2004;

(3) February 28, 2006, for calendar year 2005;

(4) February 28, 2007, for calendar year 2006; and

(5) February 29, 2008, for calendar year 2007.

(h) Failure of a certified provider to submit the information required under subsection (e) may result in suspension or termination of the provider's certification.

(i) The division shall report to the governor and the legislative council the failure of a certified provider to provide information required by subsection (e).

(j) The division shall distribute the report prepared under subsection (d) to the governor and legislative council.

(k) The first report the division is required to prepare under subsection (d) is due not later than September 30, 1999.

(l) The division shall establish a central registry to receive the information required by subsection (d)(9).

(m) This SECTION expires July 1, 2008.

2003-11-4

SECTION 4. (a) Notwithstanding IC 35-48-3 and 856 IAC 2-3, the Indiana board of pharmacy may not register a new applicant who plans to distribute any of the following unless the applicant has been approved by the division of mental health under SECTION 1 of this act:

(1) Methadone.

(2) Levo-alphaacetylmethadol.

(3) Levo-alpha-acetylmethadol.

(4) Levomethadyl acetate.

- (5) LAAM.
- (6) Buprenorphine.
- (b) This SECTION expires July 1, 2008.

2003-11-5

SECTION 5. (a) Notwithstanding IC 12-23-18-2, as added by this act, a methadone provider is not required to submit a diversion control plan until February 28, 2004.

- (b) This SECTION expires July 1, 2004.

2003-22-4

SECTION 4. IC 35-43-5-1 and IC 35-43-5-3.5, both as amended by this act, apply only to crimes committed after June 30, 2003.

2003-24-3

(Repealed by P.L.28-2004, SEC.184.)

2003-24-4

SECTION 4. (a) The commission for higher education shall complete the duties set forth in IC 20-12-0.5-8(13), IC 20-12-0.5-8(14), IC 20-12-0.5-8(15), IC 20-12-0.5-8(16), and IC 20-12-0.5-8(17), all as amended by this act, not later than August 30, 2005.

- (b) This SECTION expires September 1, 2005.

2003-31-1

SECTION 1. (a) As used in this SECTION, "member" refers to a person appointed under subsection (c)(3) or (c)(4) or to a legislator whose district includes all or part of Lake County, Porter County, LaPorte County, St. Joseph County, or Elkhart County.

(b) The northwest Indiana transportation study commission is established.

(c) The commission consists of fourteen (14) voting members appointed as follows:

- (1) Six (6) members of the senate, not more than three (3) of whom may be members of the same political party, appointed by the president pro tempore of the senate.
- (2) Six (6) members of the house of representatives, not more than three (3) of whom may be members of the same political party, appointed by the speaker of the house of representatives.
- (3) One (1) individual who is not a legislator, appointed by the Northwestern Indiana Regional Planning Commission.
- (4) One (1) individual who is not a legislator, appointed by the Michiana Area Council of Governments.

(d) The chairman of the legislative council shall select one (1) member of the commission to serve as the chairperson and the vice chairman of the legislative council shall select one (1) member of the commission to serve as the vice chairperson.

(e) The commission shall:

- (1) monitor the development of commuter transportation and rail

- service in the Lowell-Chicago and Valparaiso-Chicago corridors;
- (2) study all aspects of regional mass transportation and road and highway needs in Lake County, Porter County, LaPorte County, St. Joseph County, and Elkhart County; and
- (3) study other topics as assigned by the legislative council.

(f) The commission shall submit a final report of the commission's findings and recommendations to the legislative council before November 1, 2005.

(g) Each member of the commission is entitled to receive the same per diem, mileage, and travel allowances paid to individuals serving as legislative or lay members on interim study committees established by the legislative council.

(h) The legislative services agency shall provide staff support to the commission.

(i) This SECTION expires November 2, 2005.

2003-33-2

SECTION 2. (a) As used in this SECTION, "commissioner" refers to the commissioner of the Indiana department of administration.

(b) As used in this SECTION, "department" refers to the Indiana department of administration created by IC 4-13-1-2.

(c) As used in this SECTION, "historic building" refers to any of the following buildings located on the grounds of Evansville State Hospital:

- (1) The auditorium.
- (2) The bakery.
- (3) The castle.
- (4) The Phantom Theatre.

(d) As used in this SECTION, "tract I real estate" refers to the real property located in Section 26, Township 6 South, Range 10 West of the Second Principal Meridian, Vanderburgh County, Indiana, owned by the state of Indiana, and designated by the commissioner for transfer to Preservation Park, Inc. The real property designated under this subsection must include all the historic buildings and as much of the real property surrounding the historic buildings that the commissioner and Preservation Park, Inc., agree are appropriate for use with the historic buildings. The real property transferred under this subsection may not include any real property described in subsection (u).

(e) As used in this SECTION, "tract II real estate" refers to the real property located in Section 26, Township 6 South, Range 10 West of the Second Principal Meridian, Vanderburgh County, Indiana, owned by the state of Indiana, and designated by the commissioner for transfer to the city of Evansville. The real property designated under this subsection must include all of the real property located in Section 26, Township 6 South, Range 10 West of the Second Principal Meridian, Vanderburgh County, Indiana, owned by the state of Indiana, except the following real property:

- (1) Any real property described in subsection (u).
- (2) The real property determined by the commissioner and the

secretary of family and social services necessary for the operation of Evansville State Hospital.

(3) The tract I real estate.

(4) The tract III real estate.

(f) As used in this SECTION, "tract III real estate" refers to the real property located in Section 26, Township 6 South, Range 10 West of the Second Principal Meridian, Vanderburgh County, Indiana, owned by the state of Indiana and designated by the commissioner, the parks department of the city of Evansville, and the Buffalo Trace Council of the Boy Scouts of America for the Buffalo Trace Council. The real property transferred under this subsection may not include any real property described in subsection (u). The tract III real estate is real property in addition to the real property transferred to the Buffalo Trace Council under subsection (v).

(g) The governor and the commissioner are authorized and directed on behalf of and in the name of the state of Indiana to convey the tract I real estate to Preservation Park, Inc. Except as provided in this SECTION, the conveyance of the real estate shall be made without consideration. Conveyance of the tract I real estate is subject to the following:

(1) Use of the real estate for educational, educational housing, cultural, recreational, art, or museum purposes.

(2) The easement granted under subsection (p).

(3) Highways, easements, and restrictions of record.

Except for educational housing as provided in subdivision (1), tract I real estate may not be used for public or private housing.

(h) The tract I real estate reverts to the state if either of the following applies:

(1) The tract I real estate is not used for the purposes described in subsection (g)(1).

(2) Renovation to use the real estate for purposes described in subsection (g)(1) has not begun before ten (10) years after environmental remediation is completed under subsection (dd).

(i) The conveyance of tract I real estate must comply with IC 4-20.5-7 to the extent that IC 4-20.5-7 does not conflict with this SECTION. The department shall have a quitclaim deed prepared to convey tract I real estate to Preservation Park, Inc. The deed must state the conditions and restrictions contained in subsections (g) and (h). The commissioner and the governor shall sign the deed, and the seal of the state shall be affixed to the deed.

(j) Preservation Park, Inc., shall have the deed to the tract I real estate recorded in Vanderburgh County, Indiana.

(k) The governor and the commissioner are authorized and directed on behalf of and in the name of the state of Indiana to convey the tract II real estate to the city of Evansville. Except as provided in this SECTION, the conveyance of the real estate shall be made without consideration. Conveyance of the tract II real estate is subject to the following:

(1) Use of the real estate for educational, cultural, recreational,

art, museum, or social services purposes.

(2) Highways, easements, and restrictions of record.

However, the tract II real estate may not be used for public or private housing.

(l) The tract II real estate reverts to the state if the tract II real estate is not used for the purposes described in subsection (k)(1).

(m) The conveyance of the tract II real estate may not be made until a new facility for Evansville State Hospital is completed and patients are transferred to the new facility.

(n) The conveyance of tract II real estate must comply with IC 4-20.5-7 to the extent that IC 4-20.5-7 does not conflict with this SECTION. The department shall have a quitclaim deed prepared to convey the tract II real estate to the city of Evansville. The deed must state the conditions and restrictions contained in subsections (k) and (l). The commissioner and the governor shall sign the deed, and the seal of the state shall be affixed to the deed.

(o) The city of Evansville shall have the deed to the tract II real estate recorded in Vanderburgh County, Indiana.

(p) The governor and the commissioner are authorized and directed on behalf of and in the name of the state of Indiana to grant an easement through the tract I real estate to the parks department of the city of Evansville for operation of a recreational greenway. The location of the easement on the real estate shall be determined by the department and the parks department of the city of Evansville. Except as provided in this SECTION, the grant shall be made without consideration. The easement is subject to highways, other easements, and restrictions of record.

(q) The grant required by subsection (p) expires if the easement is not used for the purposes described in subsection (p). The instrument granting the easement must state the conditions and restrictions contained in subsection (p) and this subsection.

(r) The parks department of the city of Evansville shall have the easement recorded in Vanderburgh County, Indiana.

(s) The easement granted under subsection (p) must comply with IC 4-20.5-7 to the extent that IC 4-20.5-7 does not conflict with this SECTION.

(t) The department shall inform the superintendent of Evansville State Hospital when the conveyances and grant under this SECTION have been completed.

(u) The tract I real estate, the tract II real estate, and the tract III real estate together consist of all the real property located in Section 26, Township 6 South, Range 10 West of the Second Principal Meridian, Vanderburgh County, Indiana, owned by the state of Indiana except the following property:

Commencing at the northwest corner of the Northeast Quarter of said Section 26; thence along the west line of said quarter section South 01 degrees 07 minutes 41 seconds West 248.92 feet to a point on the southern right-of-way line of State Road 66 (Lloyd Expressway) as described in a Declaration of

Departmental transfer recorded in Deed Drawer 1, Card 20807 in the office of the Recorder of Vanderburgh County, Indiana and being the northwest corner of the land described in a deed to the Southwestern Indiana Mental Health Center, Inc. recorded in Deed Drawer 4, Card 3658 in the office of said Recorder and being the POINT OF BEGINNING of this description; thence continuing along the west line of said quarter section and the west line of the Southwestern Indiana Mental Health Center parcel South 01 degree 07 minutes 41 seconds West 316.19 feet to the southwest corner of said Mental Health Center parcel; thence along the south line of said Mental Health Center parcel South 87 degrees 34 minutes 27 seconds East 599.96 feet; thence South 01 degree 07 minutes 36 seconds West 2072.09 feet to a point on the south line of the Northeast Quarter of said Section 26; thence along said south line North 88 degrees 46 minutes 29 seconds West 599.86 feet to the southeast corner of the Northwest Quarter of said Section 26; thence along the south line of said Northwest Quarter North 88 degrees 48 minutes 56 seconds West 2022.00 feet to a center punched railroad spike; thence North 01 degree 11 minutes 04 seconds East 556.00 feet to a 3/4 inch rebar with cap stamped BLA FIRM 0030, hereinafter referred to as 3/4 inch rebar; thence North 56 degrees 49 minutes 09 seconds East 40.07 feet to a 3/4 inch rebar; thence Northeasterly 641.79 feet along an arc to the left and having a radius of 3500.00 feet and subtended by a long chord having a bearing of North 51 degrees 33 minutes 58 seconds East and a length of 640.89 feet to a 3/4 inch rebar; thence North 46 degrees 18 minutes 47 seconds East 306.50 feet to a 3/4 inch rebar; thence South 43 degrees 41 minutes 13 seconds East 94.00 feet to a 3/4 inch rebar; thence North 46 degrees 18 minutes 47 seconds East 32.50 feet to a 3/4 inch rebar; thence Northeasterly 155.49 feet along an arc to the right and having a radius of 785.00 feet and subtended by a long chord having a bearing of North 51 degrees 59 minutes 14 seconds East and a length of 155.23 feet to a 3/4 inch rebar and being the point of intersection with a non-tangent line; thence South 76 degrees 15 minutes 26 seconds East 429.08 feet to a 3/4 inch rebar; thence North 13 degrees 44 minutes 34 seconds East 201.39 feet to a 3/4 inch rebar; thence South 76 degrees 15 minutes 26 seconds East 71.33 feet to a 3/4 inch rebar; thence Easterly, Northeasterly, and Northerly 109.96 feet along an arc to the left and having a radius of 70.00 feet and subtended by a long chord having a bearing of North 58 degrees 44 minutes 34 seconds East and a length of 98.99 feet to a 3/4 inch rebar; thence North 13 degrees 44 minutes 34 seconds East 248.11 feet to a 3/4 inch rebar; thence South 76 degrees 15 minutes 26 seconds East 125.50 feet to a 3/4 inch rebar; thence North 13 degrees 44 minutes 34 seconds East 131.01 feet to a center punched railroad spike; thence South 76 degrees 15 minutes 26 seconds East

32.23 feet to a 3/4 inch rebar; thence North 13 degrees 44 minutes 34 seconds East 71.72 feet to a 3/4 inch rebar; thence North 33 degrees 22 minutes 06 seconds East 127.79 feet to a 3/4 inch rebar; thence North 56 degrees 37 minutes 54 seconds West 30.50 feet to a 3/4 inch rebar; thence North 32 degrees 07 minutes 32 seconds East 232.29 feet to the southeast corner of the land described in a deed to the American Red Cross, Southwest Indiana Chapter recorded in Deed Drawer 13, Card 1819 in the office of said Recorder; thence along the east line of said American Red Cross parcel North 03 degrees 14 minutes 46 seconds East 263.43 feet to the aforescribed southern right-of-way line of State Road 66 (Lloyd Expressway); thence along said southern right-of-way line North 72 degrees 07 minutes 25 seconds East 28.66 feet to the point of beginning and containing 85.478 acres, more or less.

(v) The governor and the commissioner are authorized and directed on behalf of and in the name of the state of Indiana to convey to the Buffalo Trace Council of the Boy Scouts of America for occupancy by the Buffalo Trace Council to be used for educational and cultural purposes, all right, title, and interest of this state in the real estate that is part of the Northwest Quarter of Section 26, Township 6 South, Range 10 West, in Vanderburgh County, Indiana, more particularly described as follows:

Commencing at the northeast corner of said quarter section; thence north 88 degrees 51 minutes 14 seconds west along the north line of said quarter section 1281.04 feet; thence south 01 degrees 09 minutes 34 seconds west 179.67 feet to the point of beginning, said point being on the south right-of-way of State Road 66 (as recorded in Deed Record 1, Card 20809 in the Office of the Recorder of Vanderburgh County, Indiana) at the center of a 50 foot opening in the limited access right-of-way; thence south 88 degrees 50 minutes 26 seconds east along the south right-of-way of State Road 66 376.20 feet; thence south 01 degrees 09 minutes 34 seconds west 267.05 feet; thence north 78 degrees 10 minutes 30 seconds west 382.81 feet; thence north 01 degrees 09 minutes 34 seconds east 196.20 feet to the point of beginning, containing 2.00 acres (87,137 square feet). Subject to an easement 25 feet in width along the west side for ingress and egress to the State Hospital complex.

The Buffalo Trace Council shall cooperate with Preservation Park, Inc., and the city of Evansville on issues related to the parking of motor vehicles on the tract I real estate, the tract II real estate, or the real estate described in this subsection.

(w) The governor and the commissioner of the Indiana department of administration are authorized and directed on behalf of and in the name of the state to convey to the Buffalo Trace Council of the Boy Scouts of America for ingress and egress to and from the property described in subsection (v) an easement in the real estate that is part of the Northwest Quarter of Section 26, Township 6 South, Range 10

West, in Vanderburgh County, Indiana, more particularly described as follows:

Commencing at the northeast corner of said quarter section; thence north 88 degrees 51 minutes 14 seconds west along the north line of said quarter section 1281.04 feet; thence south 01 degrees 09 minutes 34 seconds west 179.67 feet to the point of beginning, said point being on the south right-of-way of State Road 66 (as recorded in Deed Record 1, Card 20809 in the office of the Recorder of Vanderburgh County, Indiana) at the center of a 50 foot opening in the limited access right-of-way; thence continue south 01 degrees 09 minutes 34 seconds west 196.20 feet; thence north 78 degrees 10 minutes 30 seconds west 25.44 feet; thence north 01 degrees 09 minutes 34 seconds east 191.49 feet to a point on the south right-of-way line for State Road 66 and the west end of an opening in the limited access right-of-way previously described; thence south 88 degrees 50 minutes 26 seconds east along the south line of the State Road 66 right-of-way 25.00 feet to the point of beginning.

(x) Upon the taking effect of this SECTION, the commissioner of the Indiana department of administration shall have a deed prepared to convey to the Buffalo Trace Council of the Boy Scouts of America the real estate and easement described in subsections (v) and (w). The governor shall sign the deed. The deed shall be attested by the commissioner of the Indiana department of administration, who shall have the seal of the state affixed to the deed. The commissioner of the Indiana department of administration shall deliver the completed deed to the Buffalo Trace Council.

(y) The real estate described in subsections (v) and (w) revert to the state if any of the following apply:

(1) The real estate is used for a purpose other than the purposes described in subsections (v) and (w).

(2) The Buffalo Trace Council fails to use the real estate for a purpose described in subsection (v) or (w) before July 1, 2003.

(3) The real estate is vacant or abandoned on or after July 1, 2003.

The provisions of this subsection shall be included in the deed.

(z) The governor and the commissioner are authorized and directed on behalf of and in the name of the state of Indiana to convey to the Buffalo Trace Council of the Boy Scouts of America for occupancy by the Buffalo Trace Council to be used for educational and cultural purposes, all right, title, and interest of the state in the tract III real estate. Except as provided in this SECTION, the conveyance of the tract III real estate shall be made without consideration. Conveyance of the tract III real estate is subject to the following:

(1) Use of the real estate for educational and cultural purposes.

(2) Highways, easements, and restrictions of record.

However, the tract III real estate may not be used for public or private housing.

(aa) The tract III real estate reverts to the city of Evansville if the tract III real estate is not used for the purposes described in subsection

(z).

(bb) The conveyance of tract III real estate must comply with IC 4-20.5-7 to the extent that IC 4-20.5-7 does not conflict with this SECTION. The department shall have a quitclaim deed prepared to convey the tract III real estate to the Buffalo Trace Council of the Boy Scouts of America. The deed must state the conditions and restrictions contained in subsections (z) and (aa). The commissioner and the governor shall sign the deed, and the seal of the state shall be affixed to the deed.

(cc) The Buffalo Trace Council of the Boy Scouts of America shall have the deed to the tract III real estate recorded in Vanderburgh County, Indiana.

(dd) As provided in IC 4-20.5-7-5, the department shall conduct an environmental audit of the real property to be conveyed under this SECTION and remediate contamination found before conveying the interests required to be conveyed under this SECTION.

(ee) This SECTION expires July 1, 2013.

2003-33-3

SECTION 3. (a) The Indiana department of transportation shall work with the city of Evansville and the Evansville Urban Transit Study to determine the most practical way to connect the grounds of the Evansville State Hospital with Wesselman Park, Wesselman Woods, and the Pigeon Creek greenway system.

(b) This SECTION expires July 1, 2008.

2003-38-5

SECTION 5. IC 20-3-11-3.1, as amended by this act, and IC 20-4-1-26.10, IC 20-4-1-27.2, and IC 20-4-8-18.5, as added by this act, apply to all school board elections held after December 31, 2003.

2003-42-6

SECTION 6. (a) As used in this SECTION, "department" refers to the department of state revenue.

(b) Notwithstanding IC 6-3.5-1.1-3, the county council of a county described in IC 6-3.5-1.1-3.3, as added by this act, may adopt an ordinance to increase the county's county adjusted gross income tax rate after March 31, 2003, and before January 1, 2004.

(c) Notwithstanding IC 6-3.5-1.1-3, an ordinance adopted under this SECTION before June 1, 2003, takes effect July 1, 2003. In determining the certified distribution for the calendar year beginning January 1, 2004, as required under IC 6-3.5-1.1-9 to be performed before July 2, 2003, for a county adopting an ordinance within the time specified in this subsection, the department shall take into account the certified ordinance forwarded to the department under IC 6-3.5-1.1-3(c) in determining the amount of the county's certified distribution for the calendar year beginning January 1, 2004.

(d) Notwithstanding IC 6-3.5-1.1-3, an ordinance adopted under this SECTION after May 31, 2003, and before January 1, 2004, takes effect

January 1, 2004. Not later than thirty (30) days after receiving the certified ordinance under IC 6-3.5-1.1-3(c) from a county adopting an ordinance within the time specified in this subsection, the department shall revise the county's certified distribution determined under IC 6-3.5-1.1-9 for the calendar year beginning January 1, 2004, to take into account the increased county adjusted gross income tax rate specified in the certified ordinance. Notwithstanding IC 6-3.5-1.1-10, as amended by this act, the first distribution reflecting the increased county adjusted gross income tax rate shall be made to the county treasurer beginning November 1, 2004.

2003-44-2

SECTION 2. IC 31-14-6-4, as amended by this act, does not negate a court order entered before July 1, 2003, requiring an individual found to be the biological father of a child to reimburse the state or a political subdivision for the costs of genetic testing.

2003-47-3

SECTION 3. (a) The public employees' retirement fund shall:

- (1) adopt the policy required by IC 5-10.2-4-1.2, as added by this act; and
- (2) implement a procedure for furnishing the written notices required by IC 5-10.2-4-1.4, as added by this act;

before January 1, 2004.

(b) This SECTION expires January 2, 2004.

2003-51-2

SECTION 2. (a) The legislative services agency, under the direction of the code revision commission, shall prepare legislation for introduction during the 2004 regular session of the general assembly that brings statutes concerning annual or other reports by public agencies into conformity with this act.

(b) This SECTION expires January 1, 2005.

2003-59-3

SECTION 3. (a) As used in this SECTION, "state department" refers to the state department of health established by IC 16-19-1-1.

(b) The state department shall collect the following data for each county concerning each county resident diagnosed with lead poisoning:

- (1) The individual's name.
- (2) The individual's address.
- (3) Whether the individual is a child or an adult.
- (4) The results of the blood test used to diagnose the individual.
- (5) The individual's normal limits for the test.

(c) Personal information collected under subsection (b) is confidential.

(d) The state department shall, not later than:

- (1) December 31, 2003, for data collected during 2003; and
- (2) December 31, 2004, for data collected during 2004;

report to the governor's office and the legislative council the number of adults and the number of children diagnosed with lead poisoning in each county.

(e) This SECTION expires December 31, 2005.

2003-61-23

SECTION 23. IC 35-46-1-9.5, as amended by this act, applies to an offense committed after June 30, 2003.

2003-62-2

SECTION 2. (a) Notwithstanding IC 36-8-10.5-7, as amended by this act, the board of firefighting personnel standards and education shall carry out the duties imposed upon it under IC 36-8-10.5-7(c) under interim written guidelines approved by the board of firefighting personnel standards and education.

(b) This SECTION expires on the earlier of the following:

- (1) The date rules are adopted under IC 36-8-10.5-7(c).
- (2) January 1, 2004.

2003-66-56

SECTION 56. IC 3-8-1-2, IC 3-8-6-12, and IC 3-8-6-14, all as amended by this act, apply to all elections held after December 31, 2003.

2003-66-57

SECTION 57. (a) A primary election may not be held to nominate a candidate of a political party for a municipal office if the party has only one (1) candidate for nomination for the office.

(b) Notwithstanding IC 3-8-2-20, a person who files a declaration of candidacy under IC 3-8-2 may at any time not later than noon, April 7, 2003, file a statement with the same office where the person filed the declaration of candidacy, stating that the person is no longer a candidate and does not wish the person's name to appear on the primary election ballot as a candidate.

(c) This SECTION expires July 1, 2003.

2003-66-58

SECTION 58. (a) Notwithstanding IC 3-11-15-13, this SECTION applies until July 1, 2003, instead of IC 3-11-15-13.

(b) Except as provided in IC 3-11-15, to be approved for use in Indiana, a voting system shall meet the standards established by the System Standards issued by the Federal Election Commission on April 30, 2002.

(c) The commission may adopt rules under IC 4-22-2 to require a voting system to meet standards more recent than standards described in subsection (b). If the commission adopts rules under this subsection, a voting system must meet the standards described in the rules instead of the standards described in subsection (b).

(d) This SECTION expires July 1, 2003.

2003-71-1

SECTION 1. (a) As used in this SECTION, "health facility" refers to a comprehensive care health facility licensed under IC 16-28. The term does not include a health facility that is certified as an intermediate care facility for the mentally retarded (ICF/MR) under 42 CFR 440.150.

(b) As used in this SECTION "program" refers to the informal dispute resolution program created under subsection (d).

(c) As used in this SECTION, "state department" refers to the state department of health.

(d) The state department shall contract with an independent organization that has experience in conducting informal dispute resolution for a state survey agency to create and operate a voluntary informal dispute resolution pilot program for health facilities. The program must comply with the requirements under 42 CFR 488.331.

(e) A contract entered into under subsection (d) must expire before July 1, 2005, and establish fees to be paid to the independent organization by health facilities that voluntarily use the program. The fees must cover the full cost of the program, including any training costs by the independent organization.

(f) Every six (6) months after the effective date of the contract with the independent organization described in subsection (d), the state department and the independent organization shall submit a written report to the select joint commission on Medicaid oversight (IC 2-5-26) that includes information on the effectiveness of the informal dispute resolution program and contains comparative statistics.

(g) This SECTION expires July 1, 2005.

2003-74-4

SECTION 4. (a) IC 6-1.1-3-1 and IC 6-1.1-3-11, both as amended by this act, apply to taxes first due and payable after December 31, 2004.

(b) IC 6-1.1-10-43, as added by this act, applies to taxes first due and payable after December 31, 2004.

2003-76-1

SECTION 1. (a) As used in this SECTION, "food stamp eligible individual" refers to an individual who meets all the following requirements:

(1) The individual is a resident of a county having a reentry court program.

(2) The individual was convicted of an offense under IC 35-48 (controlled substances) for conduct occurring after August 22, 1996.

(3) Except for 21 U.S.C. 862a(a), the individual meets the federal and Indiana food stamp program requirements.

(4) The individual is successfully participating in a reentry court program.

(b) As used in this SECTION, "reentry court program" refers to a

program that meets the following requirements:

- (1) A circuit or superior court has established and administers the program.
- (2) The program is designed to supervise and provide services to an individual who was previously incarcerated by the department of correction in an adult correctional facility.
- (3) The goal of the program is to increase the likelihood that the individual will:
 - (A) become self-sufficient; and
 - (B) not commit additional crimes.
- (4) The program provides intensive supervision, which may include twenty-four (24) hour electronic supervision of the individual.
- (5) The program provides regular and direct judicial intervention that is supported and advised by a transition team that consists of at least the following:
 - (A) A professional from a community corrections program.
 - (B) A parole officer.
 - (C) A professional from a victim assistance program.
 - (D) A professional from the treatment community.
 - (E) An employment trainer.
 - (F) A community volunteer.
- (c) As used in this SECTION, "TANF" refers to the federal Temporary Assistance for Needy Families program.
- (d) As used in this SECTION, "TANF eligible individual" refers to an individual who meets all the following requirements:
 - (1) The individual is a resident of a county having a reentry court program.
 - (2) The individual was convicted of an offense under IC 35-48 (controlled substances) for conduct occurring after August 22, 1996.
 - (3) Except for 21 U.S.C. 862a(a), the individual meets the federal and Indiana TANF program requirements.
 - (4) The individual is successfully participating in a reentry court program.
- (e) Until June 30, 2005, and in accordance with 21 U.S.C. 862a(d)(1) and this SECTION, the state elects to opt out of the application of 21 U.S.C. 862a(a) for individuals participating in a reentry court program.
- (f) If referred by a court, a food stamp eligible individual may receive food stamps for not more than twelve (12) months.
- (g) If referred by a court, a TANF eligible individual may receive TANF benefits for not more than twelve (12) months.
- (h) Notwithstanding subsections (f) and (g), a food stamp eligible individual and a TANF eligible individual may not receive food stamp or TANF benefits after June 30, 2005.
- (i) A court may modify or revoke an order issued under this SECTION concerning a food stamp eligible individual or a TANF eligible individual at any time.

(j) A court shall immediately notify the local office of family and children upon the court's finding of probable cause that an individual has committed a felony offense during the period in which the individual is eligible for TANF or food stamps.

(k) A court shall immediately notify the local office of family and children when an individual has been terminated from a reentry court program during the period in which the individual is eligible for TANF or food stamps.

(l) This SECTION expires July 1, 2005.

2003-77-2

SECTION 2. (a) This SECTION applies to a county that imposed an innkeeper's tax under the authority of any statute other than IC 6-9-18 before January 1, 2003.

(b) If a statute authorizing a county's innkeeper's tax is repealed by this act, the county shall continue to impose an innkeeper's tax under the authority of IC 6-9-18.

(c) Beginning July 1, 2003, IC 6-9-18 applies to the imposition, collection, and remittance of innkeeper's taxes in a county described in subsection (b).

(d) Beginning July 1, 2003, the maximum permitted rate of the innkeeper's tax in a county described in subsection (b) is the rate set forth in IC 6-9-18-3. An ordinance increasing the rate of the county's innkeeper's tax must specify the date on which the new tax rate will take effect, as required under IC 6-9-29-1.5.

(e) Beginning July 1, 2003, a tourism commission established in a county described in subsection (b) shall operate under the authority of IC 6-9-18. A member of the commission serving on July 1, 2003, is authorized to serve the remainder of the member's term. Upon the completion of the member's term, the position must be filled as provided in IC 6-9-18.

(f) Beginning July 1, 2003, a tourism promotion fund or other fund established for the deposit of county innkeeper's taxes in a county described in subsection (b):

(1) must be administered under IC 6-9-18; and

(2) may be used only for the purposes authorized in IC 6-9-18.

(g) This SECTION expires January 1, 2005.

2003-81-6

SECTION 6. (a) Notwithstanding IC 20-1-21-4, as amended by this act, the governing body of a school corporation is not required to publish an annual performance report of the school corporation in calendar year 2003. However, the annual performance report of a school corporation that is published in January 2004 must include the information that would have been included in the annual performance report published in 2003 if IC 20-1-21-4 had not been amended by this act.

(b) This SECTION expires February 1, 2004.

2003-82-1

SECTION 1. (a) As used in this SECTION, "commission" refers to the Indiana commission on excellence in health care established by subsection (d).

(b) As used in this SECTION, "health care professional" has the meaning set forth in IC 16-27-1-1.

(c) As used in this SECTION, "health care provider" includes the following:

- (1) A hospital or an ambulatory outpatient surgical center licensed under IC 16-21.
- (2) A hospice program (as defined in IC 16-25-1.1-4).
- (3) A home health agency licensed under IC 16-27-1.
- (4) A health facility licensed under IC 16-28.

(d) There is established the Indiana commission on excellence in health care.

(e) The commission consists of the following members:

- (1) Four (4) members appointed from the house of representatives by the speaker of the house of representatives. Not more than two (2) of the members appointed under this subdivision may be members of the same political party.
- (2) Four (4) members appointed from the senate by the president pro tempore of the senate. Not more than two (2) of the members appointed under this subdivision may be members of the same political party.
- (3) The governor or the governor's designee.
- (4) The state health commissioner appointed under IC 16-19-4-2 or the commissioner's designee.
- (5) One (1) member appointed by the governor who is a former dean or former faculty member of the Indiana University School of Medicine.
- (6) One (1) member appointed by the governor who is a former dean or former faculty member of an Indiana school of nursing.
- (7) One (1) member appointed by the governor who is a health care provider or a representative for individuals who have both a mental illness and a developmental disability.

(f) The commission shall operate under the rules of the legislative council. The commission shall meet upon the call of the chairperson.

(g) The affirmative votes of at least seven (7) voting members of the commission are required for the commission to take any action, including the approval of a final report.

(h) The speaker of the house of representatives shall appoint the chairperson of the commission during odd-numbered years beginning January 1. The president pro tempore of the senate shall appoint the chairperson of the commission during even-numbered years beginning January 1.

(i) Each member of the commission who is not a state employee is entitled to the minimum salary per diem provided by IC 4-10-11-2.1(b). The member is also entitled to reimbursement for traveling expenses as provided under IC 4-13-1-4 and other expenses actually incurred in

connection with the member's duties as provided in the state policies and procedures established by the Indiana department of administration and approved by the budget agency.

(j) Each member of the commission who is a state employee but who is not a member of the general assembly is entitled to reimbursement for traveling expenses as provided under IC 4-13-1-4 and other expenses actually incurred in connection with the member's duties as provided in the state policies and procedures established by the Indiana department of administration and approved by the budget agency.

(k) Each member of the commission who is a member of the general assembly is entitled to receive the same per diem, mileage, and travel allowances paid to members of the general assembly serving on interim study committees established by the legislative council.

(l) The legislative services agency shall provide staff to support the commission. The legislative services agency is not required to provide staff assistance to the subcommittees of the commission except to the extent the subcommittees require copying services.

(m) The expenses of the commission shall be paid from funds appropriated to the legislative services agency.

(n) The commission shall study the quality of health care, including mental health, and develop a comprehensive statewide strategy for improving the health care delivery system. The commission shall do the following:

- (1) Identify existing data sources that evaluate quality of health care in Indiana and collect, analyze, and evaluate this data.
- (2) Establish guidelines for data sharing and coordination.
- (3) Identify core sets of quality measures for standardized reporting by appropriate components of the health care continuum.
- (4) Recommend a framework for quality measurement and outcome reporting.
- (5) Develop quality measures that enhance and improve the ability to evaluate and improve care.
- (6) Make recommendations regarding research and development needed to advance quality measurement and reporting.
- (7) Evaluate regulatory issues relating to the pharmacy profession and recommend changes necessary to optimize patient safety.
- (8) Facilitate open discussion of a process to ensure that comparative information on health care quality is valid, reliable, comprehensive, understandable, and widely available in the public domain.
- (9) Sponsor public hearings to share information and expertise, identify best practices, and recommend methods to promote their acceptance.
- (10) Evaluate current regulatory programs to determine what changes, if any, need to be made to facilitate patient safety.
- (11) Review public and private health care purchasing systems to determine if there are sufficient mandates and incentives to

facilitate continuous improvement in patient safety.

(12) Analyze how effective existing regulatory systems are in ensuring continuous competence and knowledge of effective safety practices.

(13) Develop a framework for organizations that license, accredit, or credential health care professionals and health care providers to more quickly and effectively identify unsafe providers and professionals and to take action necessary to remove an unsafe provider or professional from practice or operation until the professional or provider has proven safe to practice or operate.

(14) Recommend procedures for development of a curriculum on patient safety and methods of incorporating the curriculum into training, licensure, and certification requirements.

(15) Develop a framework for regulatory bodies to disseminate information on patient safety to health care professionals, health care providers, and consumers through conferences, journal articles and editorials, newsletters, publications, and Internet websites.

(16) Recommend procedures to incorporate recognized patient safety considerations into practice guidelines and into standards related to the introduction and diffusion of new technologies, therapies, and drugs.

(17) Recommend a framework for development of community based collaborative initiatives for error reporting and analysis and implementation of patient safety improvements.

(18) Evaluate the role of advertising in promoting or adversely affecting patient safety.

(19) Evaluate and make recommendations regarding the need for licensure of additional persons who participate in the delivery of health care to Indiana residents.

(20) Evaluate the benefits and problems of the current disciplinary systems and make recommendations regarding alternatives and improvements.

(21) Study and make recommendations concerning the long term care system, including self-directed care plans and the regulation and reimbursement of public and private facilities that provide long term care.

(22) Study and make recommendations concerning increasing the number of:

- (1) nurses;
- (2) respiratory care practitioners;
- (3) speech pathologists; and
- (4) dental hygienists.

(23) Study any other topic required by the chairperson.

(o) The commission may create subcommittees to study topics, receive testimony, and prepare reports on topics assigned by the commission. The chairperson shall select from the topics listed under subsection (n) the topics to be studied by the commission and subcommittees each year. The chairperson shall appoint persons to act

as chairperson and secretary of each subcommittee. The commission shall by majority vote appoint initial members to each subcommittee. Each subcommittee may by a majority vote of the members appointed to the subcommittee make a recommendation to the commission to appoint additional members to the subcommittee. The commission may by a majority vote of the members appointed to the commission appoint or remove members of a subcommittee. A member of a subcommittee, including a commission member while serving on a subcommittee, is not entitled to per diem, mileage, or travel allowances.

(p) The commission shall submit:

- (1) interim reports not later than October 1, 2001, and October 1, 2002; and
- (2) a final report not later than October 31, 2004;

to the governor, members of the health finance commission, and the legislative council. With the consent of the chairperson of the commission and the chairperson of the health finance commission, the commission and the health finance commission may conduct joint meetings.

(q) This SECTION expires November 1, 2004.

2003-89-2

SECTION 2. 910 IAC 2-4-5 is void. The publisher of the Indiana Administrative Code and Indiana Register shall remove this section from the Indiana Administrative Code.

2003-89-3

SECTION 3. (a) Before December 31, 2003, the civil rights commission shall adopt rules under IC 4-22-2 to implement IC 22-9.5-3-4, as amended by this act.

(b) This SECTION expires January 1, 2004.

2003-92-64

SECTION 64. (a) This SECTION applies to a county containing a qualified historic hotel (as defined in IC 36-7-11.5-1, as added by this act).

(b) Notwithstanding IC 4-33-6-19, if:

- (1) the legislative body of the county adopts an ordinance under IC 4-33-6-18; or
- (2) at least five percent (5%) of the registered voters of the county sign a petition submitted to the circuit court clerk requesting that a local public question concerning riverboat gambling be placed on the ballot;

the county election board shall place the question described in subsection (c) on the ballot in the county during a special election held in 2003 that meets the conditions set forth in subsection (d).

(c) The following is the form of the question that shall be placed on the ballot:

"Shall riverboat gambling be permitted in the county of _____?".

(d) A special election may be held in 2003 in conjunction with

municipal elections held in the county if an applicant for an operating agent contract pays in advance of the election the amount that is the difference between the cost to hold a special election and the sum of the costs to hold municipal elections in the county, as determined by the county election board.

(e) A public question under this SECTION shall be placed on the ballot in accordance with IC 3-10-9.

(f) The clerk of the circuit court of a county holding an election under this SECTION shall certify the results determined under IC 3-12-4-9 to the Indiana gaming commission and the department of state revenue. The results shall be treated as if the election had been held under IC 4-33-6-19.

(g) If a public question is placed on the ballot under this SECTION in a county and the voters of the county do not vote in favor of permitting riverboat gambling in the county, another public question under IC 4-33-6-19, as amended by this act, may not be held in the county for at least two (2) years.

(h) In a special election held under this SECTION:

(1) IC 3 applies except as otherwise provided in this SECTION;
and

(2) at least as many precinct polling places that were used in the county during the most recent general election must be used for the special election.

(i) IC 4-33-10-2.5(g) applies to the special election held under this SECTION to the same extent as if the election had been held under IC 4-33-6-19.

(j) This SECTION expires January 1, 2004.

2003-102-5

SECTION 5. (a) As used in this SECTION, "seed contract" has the meaning set forth in IC 15-4-13-6.

(b) IC 15-4-13, as amended by this act, and IC 15-4-14, as added by this act, apply only to seed contracts entered into after June 30, 2003.

(c) This SECTION expires July 1, 2004.

2003-103-5

SECTION 5. (a) Notwithstanding IC 15-1.5-10.5-4(a)(11), as amended by this act, an individual serving on the board of trustees of the center for agricultural science and heritage on July 1, 2003, may serve the remainder of the individual's term. However, the number of positions on the board that the governor may fill under IC 15-1.5-10.5-4(a)(11) upon the expiration of the members' terms is set forth in the following table:

YEAR	POSITIONS FILLED
2003	2
2004	2
2005	3

(b) This SECTION expires January 1, 2006.

2003-105-6

SECTION 6. (a) As used in this SECTION, "Internal Revenue Code" has the meaning set forth in IC 6-3-1-11, as amended by this act.

(b) IC 6-3-1-11, as amended by this act, does not authorize a taxpayer, in the determination under:

(1) IC 6-3-1-3.5; or

(2) IC 6-5.5-1-2;

of adjusted gross income for a taxable year that began before January 1, 2003, to deduct any part of a depreciation allowance allowed in computing the taxpayer's federal adjusted gross income that is attributable to the additional first-year special depreciation allowance (bonus depreciation) for qualified property allowed under Section 168(k) of the Internal Revenue Code for that taxable year.

(c) For a taxable year beginning in 2002 or 2003, an individual whose determination under IC 6-3-1-3.5 of adjusted gross income for the taxable year includes the deduction under Section 62(a)(2)(D) of the Internal Revenue Code is treated as having complied with IC 6-3.

(d) Not later than August 1, 2003, the department of state revenue shall issue a commissioner's directive or other written policy statement explaining how this SECTION and the amendments made by this act to IC 6-3-1-3.5 and IC 6-5.5-1-2 must be implemented by a taxpayer. The policy statement must be published in the Indiana Register.

2003-105-7

SECTION 7. IC 6-3-1-3.5, IC 6-3-1-11, and IC 6-5.5-1-2, all as amended by this act, apply only to taxable years beginning after December 31, 2002.

2003-112-2

SECTION 2. (a) As used in this SECTION, "commission" refers to the fire prevention and building safety commission.

(b) The commission shall consider the following criteria in adopting standards under IC 22-13-4-7, as added by this act:

(1) Standards for an entrance to the dwelling unit that has the following features:

(A) The entrance is designed to:

(i) provide access to; and

(ii) be usable by;

people with physical disabilities.

(B) The entrance is designed:

(i) without any steps; or

(ii) with a rise that is not more than one-half (1/2) inch.

(C) The entrance is located on a continuous unobstructed path from the entrance of the building that contains or consists of the dwelling unit to the street. The commission shall consider standards that make the path:

(i) usable by a person who uses a wheelchair; and

(ii) safe for and usable by people with other physical disabilities and people without physical disabilities.

The commission's standards may include curb ramps, parking access aisles, walks, ramps, or lifts.

(2) Standards for doors within the dwelling that are designed to allow passage for a person described in subdivision (1)(C)(i) and (1)(C)(ii). The commission shall consider standards that require a door to have an unobstructed opening of at least thirty-six (36) inches.

(3) Standards for the location of environmental controls including the following:

(A) Except as provided in clause (B), environmental controls that are located:

(i) not higher than forty-eight (48) inches; and

(ii) not lower than eighteen (18) inches;

on a wall.

(B) If environmental controls are located directly above a counter, sink, or appliance, the controls shall be located not higher than three (3) inches above the counter, sink, or appliance.

(4) Standards for indoor rooms that:

(A) have an area of not less than seventy (70) square feet; and

(B) contain no side or dimension narrower than seven (7) feet.

(5) Standards for a bathroom located on the first floor of the dwelling that contains at least a toilet, sink, and walls that may be reinforced later to allow for the installation of grab bars.

(6) Standards for interior hallways that are level and at least thirty-six (36) inches wide.

(c) The commission shall adopt rules under IC 4-22-2 as required under IC 22-13-4-7, as added by this act, not later than January 1, 2005.

(d) This SECTION expires January 1, 2006.

2003-118-1

SECTION 1. (a) As used in this SECTION, "autism spectrum disorder" includes the following diagnoses:

(1) Autism.

(2) Asperger's syndrome.

(3) Other pervasive developmental disorders.

(b) As used in this SECTION, "office" refers to the office of Medicaid policy and planning established by IC 12-8-6-1.

(c) As used in this SECTION, "waivers" refers to the following home and community based services waivers approved by the United States Department of Health and Human Services:

(1) Support services waiver.

(2) Autism waiver.

(3) Mentally retarded/developmentally disabled (DD) waiver.

(d) Before July 1, 2004, the office shall apply to the United States Department of Health and Human Services for approval to amend the waivers' language from using the word "autism" to using the phrase "autism spectrum disorder".

(e) The office may not implement the amendments to the waivers

until the office files an affidavit with the governor attesting that the federal waiver applied for under this SECTION is in effect. The office shall file the affidavit under this subsection not later than five (5) days after the office is notified that the amendment to the waivers are approved.

(f) If the office receives approval to amend the waivers under this SECTION from the United States Department of Health and Human Services and the governor receives the affidavit filed under subsection (e), the office shall implement the amendments to the waivers not more than sixty (60) days after the governor receives the affidavit.

(g) The office may adopt rules under IC 4-22-2 necessary to implement this SECTION.

(h) This SECTION expires December 31, 2009.

2003-120-2

SECTION 2. (a) IC 6-1.1-3-23, as added by this act, applies only to property taxes first due and payable after December 31, 2003.

(b) This SECTION expires January 1, 2005.

2003-123-4

SECTION 4. IC 35-45-4-1 and IC 35-42-4-5, both as amended by this act, and IC 35-45-4-1.5, as added by this act, apply only to acts committed after June 30, 2003.

2003-124-1

SECTION 1. (a) This SECTION applies to a state fiscal year beginning after June 30, 2003, and ending before July 1, 2005.

(b) For each state fiscal year described in subsection (a), the Indiana department of transportation shall expend at least ten percent (10%) of Indiana's federal funding for state planning and research received under 23 U.S.C. 505 during the state fiscal year to pay planning costs, including environmental impact studies, associated with the development of a high speed passenger rail system in Indiana.

(c) This SECTION expires July 1, 2005.

2003-126-1

SECTION 1. (a) As used in this SECTION, "PERF board" refers to the public employees' retirement fund board of trustees established by IC 5-10.3-3-1.

(b) As used in this SECTION, "fund" refers to the fund for the defined contribution plan of the legislators' retirement system established by IC 2-3.5-3-2.

(c) Beginning January 1, 2004, the PERF board shall conduct a pilot program concerning:

- (1) the implementation of a member's investment selection; and
- (2) the crediting of a member's contributions and earnings; for the fund.

(d) The pilot program referred to in subsection (c) must include the following elements:

(1) Notwithstanding IC 2-3.5-5-3(b)(2), the PERF board shall implement a member's selection under IC 2-3.5-5-3 not later than the next business day following receipt of the member's selection by the PERF board. This date is the effective date of the member's selection.

(2) Notwithstanding IC 2-3.5-5-3(b)(7), all contributions to a member's account in the fund must be allocated under IC 2-3.5-5-3 not later than the last day of the quarter in which the contributions are received and reconciled in accordance with the member's most recent effective direction.

(3) Notwithstanding IC 2-3.5-5-3(c) and IC 2-3.5-5-3(d), when a member retires, becomes disabled, dies, or withdraws from the fund, the amount credited to the member is the market value of the member's investment as of five (5) business days preceding the member's distribution or annuitization at retirement, disability, death, or withdrawal, plus contributions received after that date.

(4) Notwithstanding IC 2-3.5-5-4, contributions to the fund under IC 2-3.5-5-4 must be credited to the fund not later than the last day of the quarter in which the contributions were deducted.

(5) Notwithstanding IC 2-3.5-5-5, the state shall make contributions under IC 2-3.5-5-5 to the fund not later than the last day of each quarter. The contributions must equal twenty percent (20%) of the annual salary received by each participant during that quarter.

(e) Before November 1, 2005, the PERF board shall report to the pension management oversight commission established by IC 2-5-12 the results of the pilot program referred to in subsection (c) and shall recommend proposed legislation if the report includes a finding that the pilot program should be implemented on a permanent basis. If the PERF board recommends implementing the pilot program on a permanent basis, the PERF board shall provide to the pension management oversight commission a schedule to implement the elements of the pilot program on a permanent basis for all funds for which it has responsibility.

(f) This SECTION expires December 31, 2005.

2003-127-1

SECTION 1. (a) As used in this SECTION, "office" refers to the office of the secretary of family and social services established by IC 12-8-1-1.

(b) The office shall:

- (1) cooperate with; and
- (2) assist;

a nonprofit organization with the purpose to implement and administer a program to provide health care to uninsured Indiana residents.

(c) The office shall assist a nonprofit organization that has the purpose described in subsection (b) with the following:

- (1) Determining eligibility of potential participants who have an income of not more than one hundred percent (100%) of the

federal poverty level for a program described in this SECTION.

(2) Issuing a plan card that is valid for one (1) year to an individual whom:

(A) the office has determined is eligible for the program; and

(B) has paid the office a registration fee determined by the office.

(3) Operating a toll free telephone number that provides provider referral services for participants in the program.

(4) Implementing the program described in this SECTION to combine the resources of the office and the nonprofit organization in a manner that would not result in the additional expenditure of state funds.

2003-129-16

SECTION 16. (a) Notwithstanding IC 27-5.1-2-20, as added by this act, before January 1, 2004, an insurance producer that solicits, negotiates, or sells policies issued by a standard farm mutual insurance company that held a certificate of authority to conduct insurance business in Indiana on June 30, 2003, may continue to solicit, negotiate, or sell the same insurance that the insurance producer was previously authorized to sell and is not required to take the examination required under IC 27-1-15.6.

(b) This SECTION expires January 1, 2004.

2003-129-17

SECTION 17. A rate or form filed by a farm mutual insurance company before July 1, 2003, is valid and remains in effect notwithstanding the repeal of IC 27-5 by this act and the addition of IC 27-5.1 by this act.

2003-139-3

SECTION 3. (a) IC 33-4-8-5, as amended by this act, applies only to a senior judge who is appointed after June 30, 2003.

(b) This SECTION expires July 1, 2008.

2003-140-1

SECTION 1. (a) As used in this SECTION, "committee" refers to the sentencing policy study committee established by subsection (c).

(b) The general assembly finds that a comprehensive study of sentencing laws and policies is desirable in order to:

(1) assure that sentencing laws and policies protect the public safety;

(2) establish fairness and uniformity in sentencing laws and policies;

(3) determine whether incarceration or alternative sanctions are appropriate for various categories of criminal offenses; and

(4) maximize cost effectiveness in the administration of sentencing laws and policies.

(c) The sentencing policy study committee is established to evaluate

sentencing laws and policies as they relate to:

- (1) the purposes of the criminal justice and corrections systems;
- (2) the availability of sentencing options; and
- (3) the inmate population in department of correction facilities.

If based on the committee's evaluation under this subsection it determines changes are necessary or appropriate, the committee shall make recommendations to the general assembly for the modification of sentencing laws and policies and for the addition, deletion, or expansion of sentencing options.

(d) The committee shall do the following:

(1) Evaluate the existing classification of criminal offenses into felony and misdemeanor categories. In determining the proper category for each felony and misdemeanor, the committee shall consider, to the extent they have relevance, the following:

- (A) The nature and degree of harm likely to be caused by the offense, including whether it involves property, irreplaceable property, a person, a number of persons, or a breach of the public trust.
- (B) The deterrent effect a particular classification may have on the commission of the offense.
- (C) The current incidence of the offense in Indiana.
- (D) The rights of the victim.

(2) Recommend structures to be used by a sentencing court in determining the most appropriate sentence to be imposed in a criminal case, including any combination of imprisonment, probation, restitution, community service, or house arrest. The committee shall also consider:

- (A) the nature and characteristics of the offense;
- (B) the severity of the offense in relation to other offenses;
- (C) the characteristics of the defendant that mitigate or aggravate the seriousness of the criminal conduct and the punishment deserved for that conduct;
- (D) the defendant's number of prior convictions;
- (E) the available resources and capacity of the department of correction, local confinement facilities, and community based sanctions; and
- (F) the rights of the victim.

The committee shall include with each set of sentencing structures an estimate of the effect of the sentencing structures on the department of correction and local facilities with respect to both fiscal impact and inmate population.

(3) Review community corrections and home detention programs for the purpose of:

- (A) standardizing procedures and establishing rules for the supervision of home detainees; and
- (B) establishing procedures for the supervision of home detainees by community corrections programs of adjoining counties.

(4) Determine the long range needs of the criminal justice and

corrections systems and recommend policy priorities for those systems.

(5) Identify critical problems in the criminal justice and corrections systems and recommend strategies to solve the problems.

(6) Assess the cost effectiveness of the use of state and local funds in the criminal justice and corrections systems.

(7) Recommend a comprehensive community corrections strategy based upon:

(A) a review of existing community corrections programs;

(B) the identification of additional types of community corrections programs necessary to create an effective continuum of corrections sanctions;

(C) the identification of categories of offenders who should be eligible for sentencing to community corrections programs and the impact that changes to the existing system of community corrections programs would have on sentencing practices;

(D) the identification of necessary changes in state oversight and coordination of community corrections programs;

(E) an evaluation of mechanisms for state funding and local community participation in the operation and implementation of community corrections programs; and

(F) an analysis of the rate of recidivism of clients under the supervision of existing community corrections programs.

(8) Propose plans, programs, and legislation for improving the effectiveness of the criminal justice and corrections systems.

(9) Evaluate the use of faith based organizations as an alternative to incarceration.

(e) The committee may study other topics assigned by the legislative council or as directed by the committee chair.

(f) The committee consists of fifteen (15) members appointed as follows:

(1) Two (2) members of the senate, not more than one (1) of whom may be affiliated with the same political party, to be appointed by the president pro tempore of the senate.

(2) Two (2) members of the house of representatives, not more than one (1) of whom may be affiliated with the same political party, to be appointed by the speaker of the house of representatives.

(3) The chief justice of the supreme court or the chief justice's designee.

(4) The commissioner of the department of correction or the commissioner's designee.

(5) The director of the Indiana criminal justice institute or the director's designee.

(6) The executive director of the prosecuting attorneys council or the executive director's designee.

(7) The executive director of the public defenders council or the executive director's designee.

(8) One (1) person with experience in administering community

corrections programs appointed by the governor.

(9) One (1) person with experience in administering probation programs appointed by the governor.

(10) Two (2) judges who exercise juvenile jurisdiction, not more than one (1) of whom may be affiliated with the same political party, to be appointed by the governor.

(11) Two (2) judges who exercise criminal jurisdiction, not more than one (1) of whom may be affiliated with the same political party, to be appointed by the governor.

(g) The chairman of the legislative council shall appoint a legislative member of the committee to serve as chair of the committee. Whenever there is a new chairman of the legislative council, the new chairman may remove the chair of the committee and appoint another chair.

(h) If a legislative member of the committee ceases to be a member of the chamber from which the member was appointed, the member also ceases to be a member of the committee.

(i) A legislative member of the committee may be removed at any time by the appointing authority who appointed the legislative member.

(j) If a vacancy exists on the committee, the appointing authority who appointed the former member whose position is vacant shall appoint an individual to fill the vacancy.

(k) The committee shall submit a final report of the results of its study to the legislative council before November 1, 2004.

(l) The Indiana criminal justice institute shall provide staff support to the committee.

(m) Each member of the committee is entitled to receive the same per diem, mileage, and travel allowances paid to individuals who serve as legislative and lay members, respectively, of interim study committees established by the legislative council.

(n) The affirmative votes of a majority of the members appointed to the committee are required for the committee to take action on any measure, including the final report.

(o) Except as otherwise specifically provided by this act, the committee shall operate under the rules of the legislative council. All funds necessary to carry out this act shall be paid from appropriations to the legislative council and legislative services agency.

(p) This SECTION expires December 31, 2004.

2003-141-25

SECTION 25. (a) As used in IC 22-12, "regulated boiler or pressure vessel" refers to any part of a boiler or pressure vessel not described in subsection (b).

(b) The term does not include any of the following:

(1) Water heaters commonly known as domestic water heaters having a size and heat input that does not exceed that specified by the rules board.

(2) Pressure vessels other than nuclear vessels operated entirely full of water or other liquid that the rules board specifically finds to be not materially more hazardous than water, if the temperature

of the vessel's contents does not exceed one hundred eighty (180) degrees Fahrenheit.

(3) Boilers and pressure vessels under federal regulation.

(4) Pressure vessels meeting the requirements of the Interstate Commerce Commission for shipment of liquids or gases under pressure.

(5) Air tanks located on vehicles operating under the rules of other state authorities and that are also used for carrying passengers or freight.

(6) Air tanks installed on the right-of-way of railroads and used directly in the operation of trains.

(7) Pressure vessels that were installed before July 1, 1971, and that have a volume of:

(A) fifteen (15) cubic feet or less if located in a place other than a place of public assembly; and

(B) five (5) cubic feet or less if located in a place of public assembly.

(8) Pressure vessels, other than nuclear vessels that were installed after June 30, 1971, and that have a volume of:

(A) fifteen (15) cubic feet or less if adequately protected by pressure relieving devices set to function at three hundred (300) pounds per square inch or less and located in a place other than a place of public assembly;

(B) five (5) cubic feet or less if adequately protected by pressure relieving devices set to function at two hundred fifty (250) pounds per square inch or less and located in a place of public assembly; or

(C) one and one-half (1 1/2) cubic feet or less regardless of pressure or location, unless otherwise covered by IC 22-12.

(9) Pressure vessels, other than nuclear vessels protected by adequate pressure relieving devices, set to function at not over fifteen (15) pounds per square inch gauge.

(10) Pressure vessels containing liquefied petroleum gases and regulated by the commission.

(11) Surgical sterilizers, coffee urns, and steam jacketed food cookers that do not exceed size limits specified by the rules board.

(12) Commercial toy boilers and miniature model boilers constructed as a hobby that do not exceed a size specified by the board.

(13) Pressure vessels containing anhydrous ammonia, used in transportation, distribution, or use storage of the product as a liquid fertilizer, and for which a general scheme of construction, installation, and safety requirements has been adopted by statute or rule of another state agency. This exemption does not apply to vessels in refineries or in manufacturing or processing plants.

(14) Nuclear vessels for the collection and disposal of nuclear waste from a nuclear energy system that are not subject to pressures greater than would prevail if they were vented to the atmosphere.

- (15) Standard and miniature traction engine boilers and other boilers used solely for exhibition purposes.
- (16) A locomotive boiler used only on a railway that is used as a tourist attraction.
- (c) This SECTION expires upon the earlier of the following dates:
 - (1) The date the boiler and pressure vessel rules board adopts rules creating a definition of "regulated boiler or pressure vessel".
 - (2) January 1, 2005.

2003-141-26

SECTION 26. (a) Notwithstanding IC 22-15-6, IC 22-15-6-2 through IC 22-15-6-3 do not apply to any of the following:

- (1) Any regulated boiler or pressure vessel located on a farm and used solely for agricultural purposes.
- (2) Any steam boiler or water heating boiler:
 - (A) located in an owner occupied residence, a residential structure with fewer than seven (7) apartments, or a place other than a place of public assembly;
 - (B) operated for heating purposes at a pressure not exceeding fifteen (15) pounds per square inch gauge, if qualifying as a steam boiler, and operated at a pressure not exceeding thirty (30) pounds per square inch gauge, if qualifying as a water heating boiler; and
 - (C) having a gross output rating not exceeding two hundred fifteen thousand (215,000) British Thermal Units per hour, if not located in a place of public assembly.
- (3) Any pressure vessel:
 - (A) containing only water under pressure for domestic supply purposes, including one containing air, if the compressed air serves only as a cushion or as part of an airlift pumping system; and
 - (B) located in an owner occupied residence or a residential structure with less than seven (7) apartments.
- (4) Any pressure vessel used as an integral part of an electrical circuit breaker.
- (b) This SECTION expires on the earlier of the following dates:
 - (1) The date the boiler and pressure rules board adopts rules under IC 4-22-2 exempting some regulated boilers and pressure vessels from IC 22-15-6-2 and IC 22-15-6-3.
 - (2) January 1, 2005.

2003-145-15

SECTION 15. (a) As used in this SECTION, "board" refers to the home inspectors licensing board established by IC 25-20.2-3-1, as added by this act.

(b) An individual who performs home inspections after June 30, 2003, does not violate IC 25-20.2-5-1 or IC 25-20.2-8-5(a)(1), both as added by this act, and may not be disciplined or sanctioned for failure to have a home inspector's license if the person obtains a home

inspector's license not later than July 1, 2005.

(c) Notwithstanding the requirements of IC 25-20.2-5-2, as added by this act, before July 1, 2005, the board may issue to an individual, upon the individual's application and payment of fees, a home inspector license if the individual:

- (1) meets the requirements of IC 25-20.2-5-2(a), as added by this act, excluding IC 25-20.2-5-2(a)(3);
- (2) has been engaged in the practice of home inspections for at least six (6) months; and
- (3) documents the performance of at least twenty-five (25) home inspections performed for compensation in the previous twelve (12) months or at least one hundred (100) home inspections performed for compensation in the individual's career.

(d) The board may consider and accept the successful completion of equivalent licensing requirements in another state instead of one (1) or more of the requirements of IC 25-20.2-5-2(a), as added by this act.

(e) This SECTION expires January 1, 2006.

2003-145-16

SECTION 16. (a) As used in this SECTION, "board" refers to the home inspectors licensing board established by IC 25-20.2-3-1, as added by this act.

(b) Before July 1, 2004, the governor shall make the initial appointments to the board. In making each initial appointment, the governor shall indicate the length of the term for which the individual is appointed.

(c) Notwithstanding IC 25-20.2-3-3, as added by this act, the initial terms of office for the seven (7) individuals appointed to the board by the governor are as follows:

- (1) Three (3) members for a term of three (3) years.
- (2) Two (2) members for a term of two (2) years.
- (3) Two (2) members for a term of one (1) year.

(d) The initial terms begin July 1, 2004.

(e) An individual who does not meet all the requirements of IC 25-20.2-5-2(a), as added by this act, may be appointed to the board under IC 25-20.2-3-2(a)(1), as added by this act, if the individual:

- (1) meets the requirements of IC 25-20.2-5-2(a)(1)(A) through IC 25-20.2-5-2(a)(1)(C), as added by this act;
- (2) has been performing home inspections for at least six (6) months immediately before the person's appointment; and
- (3) documents the performance of at least twenty-five (25) home inspections performed for compensation in the previous twelve (12) months or at least one hundred (100) home inspections performed for compensation in the individual's career.

(f) A board member appointed in accordance with subsection (e) must obtain the requisite license in accordance with IC 25-20.2-5-2, as added by this act, on or before July 1, 2005. If a board member does not obtain the requisite license on or before July 1, 2005, the board member shall be considered to have resigned from the board on July 1,

2005, and the governor shall fill the vacancy in accordance with IC 25-20.2-3-3(c), as added by this act. If a board member resigns under this SECTION for failure to obtain a home inspector's license, the acts of the board member and the board before July 1, 2005, are legal and valid.

(g) Not later than January 1, 2005, the board shall adopt rules under IC 4-22-2 to carry out this act.

(h) This SECTION expires June 30, 2007.

2003-157-6

SECTION 6. IC 9-25-8-2, as amended by this act, applies only to offenses committed after June 30, 2003.

2003-160-29

SECTION 29. (a) An administrator that has a certificate of registration issued under IC 27-1-25, before amendment by this act, on June 30, 2003, is considered to be licensed under IC 27-1-25, as amended by this act, until the expiration of the certificate of registration.

(b) This SECTION expires June 30, 2006.

2003-162-3

SECTION 3. (a) A lobbyist's activity report required to be filed not later than November 30, 2003, by IC 2-7-3-2, as amended by this act, shall, notwithstanding IC 2-7-3-2, as amended by this act, cover the period from July 1, 2003, through October 31, 2003.

(b) This SECTION expires July 1, 2004.

2003-165-8

SECTION 8. (a) A regional planning commission under IC 36-7-7 that includes a county described in IC 36-7-7.6-1, as added by this act, becomes on July 1, 2003, the northwestern Indiana regional planning commission, subject to IC 36-7-7.6, as added by this act.

(b) A municipality or county required to make an appointment to the northwestern Indiana regional planning commission under IC 36-7-7.6-4, as added by this act, shall make the appointment before July 15, 2003.

(c) On July 1, 2003, all property of the regional planning commission described in subsection (a) becomes the property of the northwestern Indiana regional planning commission, subject to IC 36-7-7.6, as added by this act.

(d) This SECTION expires January 1, 2004.

2003-166-4

SECTION 4. (a) IC 27-8-24.1, as added by this act, applies to an accident and sickness insurance policy that is issued, delivered, amended, or renewed after December 31, 2003.

(b) IC 27-13-7-18, as added by this act, applies to a health maintenance organization contract that is entered into, delivered,

amended, or renewed after December 31, 2003.

2003-173-42

SECTION 42. (a) The state board of accounts shall review the format and content of the annual operational report required under IC 8-17-4.1-5, as amended by this act, and shall prescribe a streamlined report that addresses:

- (1) easing the preparation of;
- (2) the informational requirements of the users of; and
- (3) the promotion of accuracy within;

the revised report.

- (b) This SECTION expires January 1, 2004.

2003-175-4

SECTION 4. This act applies only to crimes committed after June 30, 2003.

2003-176-8

SECTION 8. IC 29-1-2-1, IC 29-1-3-1, and IC 29-1-3-7, all as amended by this act, apply only to the estate of an individual who dies after June 30, 2003.

2003-176-9

SECTION 9. (a) Notwithstanding IC 29-1-5-3, IC 29-1-5-6, and IC 29-1-5-9, this SECTION applies to a will executed before, on, or after July 1, 2003. A will, other than a nuncupative will must be executed by the signature of the testator and of at least two (2) witnesses on:

- (1) a will under subsection (b);
- (2) a self-proving clause under SECTION 10(c) of this act; or
- (3) a self-proving clause under SECTION 10(d) of this act.

(b) A will may be attested as follows:

- (1) The testator, in the presence of two (2) or more attesting witnesses, shall signify to the witnesses that the instrument is the testator's will and either:

- (A) sign the will;
- (B) acknowledge the testator's signature already made; or
- (C) at the testator's direction and in the testator's presence have someone else sign the testator's name.

- (2) The attesting witnesses must sign in the presence of the testator and each other.

An attestation or self-proving clause is not required under this subsection for a valid will.

(c) A will that is executed substantially in compliance with subsection (b) will not be rendered invalid by the existence of:

- (1) an attestation or self-proving clause or other language; or
- (2) additional signatures;

not required by subsection (b).

- (d) A will executed in accordance with subsection (b) is self-proved

if the witness signatures follow an attestation or self-proving clause or other declaration indicating in substance the facts set forth in SECTION 10(c) or 10(d) of this act.

(e) This SECTION shall be construed in favor of effectuating the testator's intent to make a valid will.

(f) This SECTION expires July 1, 2003.

2003-176-10

SECTION 10. (a) Notwithstanding IC 29-1-5-3, IC 29-1-5-6, and IC 29-1-5-9, this SECTION applies to a will executed before, on, or after July 1, 2003. When a will is executed, the will may be:

(1) attested; and

(2) made self-proving;

by incorporating into or attaching to the will a self-proving clause that meets the requirements of subsection (c) or (d). If the testator and witnesses sign a self-proving clause that meets the requirements of subsection (c) or (d) at the time the will is executed, no other signatures of the testator and witnesses are required for the will to be validly executed and self-proved.

(b) If a will is executed by the signatures of the testator and witnesses on an attestation clause under SECTION 9(b) of this act, the will may be made self-proving at a later date by attaching to the will a self-proving clause signed by the testator and witnesses that meets the requirements of subsection (c) or (d).

(c) A self-proving clause must contain the acknowledgment of the will by the testator and the statements of the witnesses, each made under the laws of Indiana and evidenced by the signatures of the testator and witnesses (which may be made under the penalties for perjury) attached or annexed to the will in form and content substantially as follows:

We, the undersigned testator and the undersigned witnesses, respectively, whose names are signed to the attached or foregoing instrument declare:

(1) that the testator executed the instrument as the testator's will;

(2) that, in the presence of both witnesses, the testator signed or acknowledged the signature already made or directed another to sign for the testator in the testator's presence;

(3) that the testator executed the will as a free and voluntary act for the purposes expressed in it;

(4) that each of the witnesses, in the presence of the testator and of each other, signed the will as a witness;

(5) that the testator was of sound mind when the will was executed; and

(6) that to the best knowledge of each of the witnesses the testator was, at the time the will was executed, at least eighteen (18) years of age or was a member of the armed forces or of the merchant marine of the United States or its allies.

Testator

Date

Witness

Witness

(d) A will is attested and self-proved if the will includes or has attached a clause signed by the testator and the witnesses that indicates in substance that:

(1) the testator signified that the instrument is the testator's will;
(2) in the presence of at least two (2) witnesses, the testator signed the instrument or acknowledged the testator's signature already made or directed another to sign for the testator in the testator's presence;

(3) the testator executed the instrument freely and voluntarily for the purposes expressed in it;

(4) each of the witnesses, in the testator's presence and in the presence of all other witnesses, is executing the instrument as a witness;

(5) the testator was of sound mind when the will was executed; and

(6) the testator is, to the best of the knowledge of each of the witnesses, either:

(A) at least eighteen (18) years of age; or

(B) a member of the armed forces or the merchant marine of the United States or its allies.

(e) This SECTION shall be construed in favor of effectuating the testator's intent to make a valid will.

(f) This SECTION expires July 1, 2003.

2003-176-11

SECTION 11. (a) Notwithstanding IC 29-1-5-6, no will in writing, nor any part thereof, except as in this article provided, shall be revoked, unless the testator, or some other person in his presence and by his direction, with intent to revoke, shall destroy or mutilate the same; or such testator shall execute other writing for that purpose, signed, subscribed and attested as required in SECTION 9 or 10 of this act. A will can be revoked in part only by the execution of a writing as herein provided. And if, after the making of any will, the testator shall execute a second, a revocation of the second shall not revive the first will, unless it shall appear by the terms of such revocation to have been his intent to revive it, or, unless, after such revocation, he shall duly republish the previous will.

(b) This SECTION expires July 1, 2003.

2003-176-12

SECTION 12. (a) Notwithstanding IC 29-1-5-9, an instrument creating an inter vivos trust in order to be valid need not be executed as a testamentary instrument pursuant to SECTION 9 or 10 of this act, even though such trust instrument reserves to the maker or settlor the power to revoke, or the power to alter or amend, or the power to control

investments, or the power to consume the principal, or because it reserves to the maker or settlor any one or more of said powers.

(b) This SECTION expires July 1, 2003.

2003-177-16

SECTION 16. (a) Notwithstanding IC 36-1-6 and IC 36-7-9, a municipal corporation under IC 36-1-6-2, as amended by this act, and an enforcement authority under IC 36-7-9-2, as amended by this act, may establish and maintain a registry of properties within its jurisdiction known to be:

- (1) in a condition that violates local ordinances; and
- (2) eligible for enforcement procedures under IC 36-1-6-2 and IC 36-7-9-5, both as amended by this act.

(b) The information in the registry shall be made available to the public under IC 5-14-3 for inspection and copying during ordinary business hours.

(c) The owners of property recorded in the registry shall provide:

- (1) either:
 - (A) their mailing address; or
 - (B) the name and mailing address of their agent;for the purpose of service of process; and
- (2) the name and address of the insurance carrier providing insurance coverage on the property.

(d) The registered owner of the property must notify the enforcement authority of a change in ownership.

(e) Beginning July 1, 2003, new enforcement activities made possible under IC 36-1-6 or IC 36-7-9 by the amendments in this act may not be initiated by a municipal corporation or an enforcement authority that affect a property recorded in a registry until October 1, 2003.

(f) This SECTION expires on October 1, 2003.

2003-177-17

SECTION 17. This act does not affect:

- (1) rights or liabilities accrued;
- (2) penalties incurred;
- (3) crimes committed; or
- (4) proceedings begun;

before the effective date of this act. Those rights, liabilities, penalties, crimes, and proceedings continue and shall be imposed and enforced under prior law as if this act had not been enacted.

2003-178-98

SECTION 98. (a) IC 27-8-28-17 and IC 27-13-10-8, both as amended by this act, apply to an appeal of a grievance that is filed after June 30, 2003.

(b) This SECTION expires June 30, 2006.

2003-180-1

SECTION 1. (a) This SECTION applies to state income tax liability of a shareholder, partner, beneficiary, or member of a taxpayer that is a pass through entity and that incurred an expenditure:

- (1) described in IC 6-3.1-6-2;
- (2) under an agreement with the commissioner of the department of correction;
- (3) for an operation conducted for inmates of Rockville Correctional Facility; and
- (4) in a taxable year beginning after December 31, 1997, and ending before January 1, 2002.

(b) The definitions in IC 6-3.1-6-1 apply throughout this SECTION.

(c) A shareholder, partner, beneficiary, or member of a pass through entity is entitled to a tax credit under IC 6-3.1-6 for a taxable year described in subsection (a) to the same extent as if IC 6-3.1-6-6, as added by P.L.129-2001, SECTION 6, had been in effect for that taxable year.

(d) Any penalties or interest assessed against a shareholder, partner, beneficiary, or member of the pass through entity solely because the pass through entity reported or because a shareholder, partner, beneficiary, or member of the pass through entity claimed a credit under IC 6-3.1-6 on a return filed for a taxable year described in subsection (a) is waived.

(e) If a shareholder, partner, beneficiary, or member of a pass through entity is entitled to a refund as a result of the enactment of this SECTION, the taxpayer or shareholder, partner, beneficiary, or member of a taxpayer may claim the refund under IC 6-8.1-9. The three (3) year time limitation imposed under IC 6-8.1-9-1 on filing a claim for refund does not apply to a refund claimed as a result of the enactment of this SECTION.

(f) This SECTION expires January 1, 2005.

2003-184-14

SECTION 14. (a) As used in this SECTION, "office" refers to the office of Medicaid policy and planning.

(b) The office shall develop a federal Medicaid waiver application under which a prescription drug program may be established or implemented to provide access to prescription drugs for low-income senior citizens.

(c) Before the office may submit an application for a federal Medicaid waiver that will have an effect on the Indiana prescription drug program established under IC 12-10-16, the following must occur:

- (1) The office shall submit the proposed Medicaid waiver to the prescription drug advisory committee established under this act.
- (2) The prescription drug advisory committee must review, allow public comment, and approve the proposed Medicaid waiver.

(d) A prescription drug program established or implemented by the office or a contractor of the office under this SECTION may not limit access to prescription drugs for prescription drug program recipients, except under the following circumstances:

(1) Access may be limited to the extent that restrictions were in place in the Medicaid program on March 26, 2002.

(2) Except as provided by IC 12-15-35.5-3(b) and IC 12-15-35.5-3(c), access may be limited to:

(A) prevent the following:

(i) Fraud.

(ii) Abuse.

(iii) Waste.

(iv) Overutilization of prescription drugs.

(v) Inappropriate utilization of prescription drugs; or

(B) implement a disease management program.

IC 12-15-35.5-7 applies to a limit implemented under this subdivision.

(e) Changes to a prescription drug program that:

(1) is established or implemented by the office or a contractor of the office under this SECTION; and

(2) uses money from the Indiana prescription drug account established under IC 4-12-8-2;

must be approved by the prescription drug advisory committee established under this act.

(f) Before July 1, 2002, the office shall apply to the United States Department of Health and Human Services for approval of any waiver necessary under the federal Medicaid program to provide access to prescription drugs for low income senior citizens.

(g) A Medicaid waiver developed under this SECTION must limit a prescription drug program's state expenditures to funding appropriated to the Indiana prescription drug account established under IC 4-12-8-2 from the Indiana tobacco master settlement agreement fund.

(h) The office may not implement a waiver under this SECTION until the office files an affidavit with the governor attesting that the federal waiver applied for under this SECTION is in effect. The office shall file the affidavit under this subsection not later than five (5) days after the office is notified that the waiver is approved.

(i) If the office receives a waiver under this SECTION from the United States Department of Health and Human Services and the governor receives the affidavit filed under subsection (h), the office shall implement the waiver not more than sixty (60) days after the governor receives the affidavit.

2003-185-2

SECTION 2. Subject to the appropriation requirements in IC 6-1.1 and any agreement entered into by a city, town, or county that commits the money for a particular purpose, money received under IC 4-33-13-5(d) before, on, or after the effective date of this SECTION may be used after the effective date of this SECTION for any purpose authorized by IC 4-33-13-5, as amended by this act.

2003-186-83

SECTION 83. (a) As used in this SECTION, "department" refers to the department of natural resources.

(b) Notwithstanding IC 14-27-7.5-8, as added by this act, and IC 14-27-7, as amended by this act, the department may continue to issue permits for dams under IC 14-28-1 until the rules concerning permitting under IC 14-27-7.5 become effective.

(c) Notwithstanding IC 14-27-7.5, as added by this act, a permit for a dam issued under IC 14-28-1 remains valid until the expiration of the permit.

(d) This SECTION expires June 30, 2007.

2003-186-84

SECTION 84. (a) Notwithstanding IC 14-34-13-1 and IC 14-34-13-2, the following reclamation fee schedule applies with respect to coal mining operations for the period beginning April 1, 2002, and ending June 30, 2005:

(1) All operators of surface coal mining operations subject to IC 14-34 shall pay to the department of natural resources for deposit in the natural resources reclamation division fund established by IC 14-34-14-2 a reclamation fee of five and five-tenths cents (\$0.055) per ton of coal produced.

(2) All operators of underground coal mining operations subject to IC 14-34 shall pay to the department of natural resources for deposit in the natural resources reclamation division fund established by IC 14-34-14-2 a reclamation fee of three cents (\$0.03) per ton of coal produced.

(b) After June 30, 2005, the reclamation fees paid by coal mining operators are the amounts per ton specified in IC 14-34-13-1 and IC 14-34-13-2, as amended by this act.

(c) This SECTION expires January 1, 2006.

2003-186-85

SECTION 85. (a) On July 1, 2003:

(1) any money in the state parks special revenue fund under IC 14-19-4 before its repeal by this act; and

(2) any money in the reservoirs special revenue fund under IC 14-19-5 before its repeal by this act;

shall be transferred by the department of natural resources to the state parks and reservoirs special revenue fund established by IC 14-19-8-2, as added by this act.

(b) This SECTION expires July 2, 2003.

2003-186-86

SECTION 86. (a) A certificate of registration purchased under IC 14-16-2, before its repeal by this act, is valid for three (3) years after the date of purchase. A valid certificate of registration purchased under IC 16-14-2, before its repeal by this act, satisfies the requirements of IC 14-16-1, as amended by this act.

(b) This SECTION expires July 1, 2006.

2003-186-87

SECTION 87. (a) Notwithstanding IC 14-22-4-6, as amended by this act, on July 1, 2003, an amount not to exceed twenty-five percent (25%) of the money in the lifetime hunting, fishing, and trapping license trust fund established by IC 14-22-4-2 shall be transferred to the fish and wildlife fund established by IC 14-22-3-2 to develop and implement the automated point of sale licensing system under IC 14-22-12-7.5, as added by this act.

(b) This SECTION expires June 30, 2006.

2003-188-13

SECTION 13. (a) Notwithstanding IC 4-21.5-2-4, this SECTION applies instead of IC 4-21.5-2-4. Except as provided in subsection (c), this article does not apply to any of the following agencies:

- (1) The governor.
- (2) The state board of accounts.
- (3) The state educational institutions (as defined by IC 20-12-0.5-1).
- (4) The department of workforce development.
- (5) The unemployment insurance review board of the department of workforce development.
- (6) The worker's compensation board.
- (7) The military officers or boards.
- (8) The Indiana utility regulatory commission.
- (9) The department of state revenue (excluding an agency action related to the licensure of private employment agencies).

(b) This article does not apply to action related to railroad rate and tariff regulation by the Indiana department of transportation.

(c) This article applies to a protest or hearing related to the regulation of charity gaming under IC 4-32 by the department of state revenue.

(d) This SECTION expires July 1, 2003.

2003-190-6

SECTION 6. IC 21-6.1-5-9, as amended by this act, applies to retirement benefits payable by the Indiana state teachers' retirement fund after June 30, 2003.

2003-193-12

SECTION 12. (a) As used in this SECTION, "association" refers to the comprehensive health insurance association established under IC 27-8-10-2.1.

(b) The office of Medicaid policy and planning established by IC 12-8-6-1 and the association shall cooperatively investigate methods of decreasing association costs related to coverage of individuals diagnosed with hemophilia, including the potential for a demonstration waiver under Section 1115 of the federal Social Security Act.

(c) The office and the association shall, not later than December 31, 2003, compile the results of the investigation required under subsection

- (b) and report to the legislative council.
- (d) This SECTION expires June 30, 2004.

2003-193-13

SECTION 13. (a) Notwithstanding IC 27-8-10-3, the amount of reimbursement for a health care service covered under an Indiana comprehensive health insurance association policy is the amount of reimbursement for the same health care service under Medicare plus ten percent (10%) until the earlier of:

- (1) the date that a payment program is implemented under IC 27-8-10-12, as added by this act; or
- (2) March 15, 2004.

(b) If the amount of reimbursement for health care services covered under an Indiana comprehensive health insurance association policy is specified under a contract with a health care provider, this SECTION applies to a contract specifying the amount of reimbursement for health care services that is entered into, delivered, amended, or renewed after June 30, 2003.

- (c) This SECTION expires June 30, 2004.

2003-193-14

SECTION 14. IC 27-8-10-3.5 and IC 27-8-10-3.6, both as added by this act, and IC 27-8-10-2.1, IC 27-8-10-5.1, and IC 27-8-10-6, all as amended by this act, apply to an association policy that is issued, delivered, amended, or renewed after June 30, 2003.

2003-194-2

SECTION 2. IC 10-5-3-1, as amended by this act, applies to claims for burial expenses filed after June 30, 2003.

2003-195-8

SECTION 8. IC 35-47-4-6, as added by this act, applies only to crimes committed after June 30, 2003.

2003-197-1

SECTION 1. (a) As used in this SECTION, "committee" refers to a committee appointed by the chairman of the legislative council under IC 2-5-21-10(a).

(b) As used in this SECTION, "subcommittee" refers to the legislative evaluation and oversight policy subcommittee established by IC 2-5-21-6.

(c) Notwithstanding IC 2-5-21-10(c), beginning in 2003, the subcommittee shall direct the staff in performing an audit of the organizational structure of the office of the secretary of family and social services established by IC 12-8-1-1 (referred to in this SECTION as "the office") and the office's relationship with other agencies that provide health and human services programs. The subcommittee may not direct the staff to perform an audit of another agency during the time the staff is performing the audit required under this SECTION.

(d) The office shall cooperate with the subcommittee and the subcommittee's staff, including providing the subcommittee with information pertaining to the structure of the office. The office shall provide the subcommittee with the following information:

- (1) The organizational structure of the office, including the office's line of command and the number of employees.
- (2) A description of the interaction of programs within the office.
- (3) A description of the interaction of programs that are operated by the office in conjunction with another state agency.
- (4) Concerning contracted services between the office and another entity after June 30, 2000:
 - (A) a list of contractors;
 - (B) a copy of the contract, if any; and
 - (C) contract expenditures.
- (5) A description of the communication channel used within the office.
- (6) Any information described in IC 2-5-21-13.
- (7) Any other information the subcommittee determines is relevant for the study under this SECTION.

(e) Beginning in 2004, the chairman of the legislative council shall appoint a committee under IC 2-5-21-10(a) to perform the duties described in IC 2-5-21-14.

(f) This SECTION expires December 31, 2005.

2003-198-1

SECTION 1. (a) As used in this SECTION, "commission" refers to the commission on abused and neglected children and their families established by subsection (b).

(b) The commission on abused and neglected children and their families is established to develop and present an implementation plan for a continuum of services for children at risk of abuse or neglect and children who have been abused or neglected and their families.

(c) The commission consists of the following members appointed not later than August 15, 2003:

- (1) One (1) prosecuting attorney or a deputy prosecuting attorney.
- (2) One (1) attorney who specializes in juvenile law.
- (3) One (1) representative from law enforcement.
- (4) Two (2) children's advocates.
- (5) One (1) guardian ad litem or court appointed special advocate.
- (6) One (1) juvenile court judge.
- (7) One (1) public agency children's services caseworker.
- (8) One (1) private agency children's services caseworker.
- (9) The director of the division of family and children or the director's designee.
- (10) One (1) counselor or social worker from Indiana's "at risk" school program.
- (11) One (1) pediatrician.
- (12) One (1) medical social worker.
- (13) Two (2) faculty members, including:

- (A) one (1) faculty member from an Indiana accredited graduate school of social work, who shall serve as the chair of the commission; and
- (B) one (1) faculty member from an Indiana accredited undergraduate school of social work.
- (14) One (1) county director to be appointed from the Indiana State Association of County Welfare Administrators.
- (15) One (1) foster parent who is a member of a foster advocacy organization.
- (16) One (1) adoptive parent who is a member of an adoptive parent advocacy organization.
- (17) One (1) nonprofit family services agency provider.
- (18) One (1) representative of child caring institution providers.
- (19) One (1) psychologist who works with abused and neglected children.
- (20) One (1) individual who has experience and training in juvenile fire setting identification and intervention.
- (21) Two (2) members of the house of representatives appointed by the speaker of the house of representatives. The members appointed under this subdivision may not be members of the same political party.
- (22) Two (2) members of the senate appointed by the president pro tempore of the senate. The members appointed under this subdivision may not be members of the same political party.

The speaker of the house of representatives shall appoint the members under subdivisions (2), (5), (8), (10), (15), and (17) and one (1) member under subdivision (4). The president pro tempore of the senate shall appoint the members under subdivisions (3), (11), (12), (16), (18), and (19) and one (1) member under subdivision (4). The governor shall appoint the members under subdivisions (1), (6), (7), (14), and (20) and both members under subdivision (13). Vacancies shall be filled by the appointing authority for the remainder of the unexpired term.

(d) Each member of the commission shall have an interest or experience in improving the quality of services provided to children at risk of abuse or neglect and abused or neglected children and their families in Indiana.

(e) A majority of the voting members of the commission constitutes a quorum.

(f) The Indiana accredited graduate school of social work represented by the chair of the commission shall staff the commission.

(g) The commission shall meet at the call of the chair and shall meet as often as necessary to carry out the purpose of this SECTION.

(h) The expenses of administering the commission shall be paid from the resources of the Indiana accredited graduate school of social work represented by the chair of the commission. Expenses under this subsection include the following:

- (1) Photocopying and printing costs.
- (2) Costs of supplies.
- (i) Members of the commission are not entitled to a salary per diem

or reimbursement of expenses for service on the commission.

(j) The commission's responsibilities include the following:

(1) Reviewing Indiana's public and private family services delivery system for children at risk of abuse or neglect and for children who have been reported as suspected victims of child abuse or neglect.

(2) Reviewing federal, state, and local funds appropriated to meet the service needs of children and their families.

(3) Reviewing current best practices standards for the provision of child and family services.

(4) Examining the qualifications and training of service providers, including foster parents, adoptive parents, child caring institution staff, child placing agency staff, case managers, supervisors, and administrators, and making recommendations for a training curriculum and other necessary changes.

(5) Recommending methods to improve use of available public and private funds to address the service needs described in subdivision (2).

(6) Providing information concerning identified unmet needs of children and families and providing recommendations concerning the development of resources to meet the identified needs.

(7) Suggesting policy, program, and legislative changes related to the family services described in subdivision (1) to accomplish the following:

(A) Enhancement of the quality of the services.

(B) Identification of potential resources to promote change to enhance the services.

(8) Preparing a report consisting of the commission's findings and recommendations, and the presentation of the implementation plan for a continuum of services for children at risk of abuse or neglect and for abused or neglected children and their families specified under subsection (b).

(k) In carrying out the commission's responsibilities, the commission shall consider pertinent studies on children at risk of abuse or neglect and on abused or neglected children and their families.

(l) The affirmative votes of a majority of the commission's members are required for the commission to take action on any measure, including recommendations included in the report required under subsection (j)(8).

(m) The commission shall submit the report required under subsection (j)(8) to the governor, the legislative council, and the board for the coordination of child care regulation established by IC 12-17.2-3.1-1 not later than August 15, 2004. The report must be available to the public upon request not later than December 31, 2004.

(n) This SECTION expires January 1, 2005.

2003-200-4

SECTION 4. (a) Notwithstanding IC 5-14-3-4(b)(8), subsection (b) applies instead of IC 5-14-3-4(b)(8).

(b) Except as otherwise provided by IC 5-14-3-4(a), the following public records shall be excepted from IC 5-14-3-3 at the discretion of a public agency:

(1) Personnel files of public employees and files of applicants for public employment, except for:

(A) the name, compensation, job title, business address, business telephone number, job description, education and training background, previous work experience, or dates of first and last employment of present or former officers or employees of the agency;

(B) information relating to the status of any formal charges against the employee; and

(C) the factual basis for a disciplinary action in which final action has been taken and that resulted in the employee being suspended, demoted, or discharged.

However, all personnel file information shall be made available to the affected employee or the employee's representative. This subdivision does not apply to disclosure of personnel information generally on all employees or for groups of employees without the request being particularized by employee name.

(c) This SECTION expires July 1, 2003.

2003-201-3

SECTION 3. Notwithstanding IC 27-2-21, as added by this act, IC 27-2-21, as added by this act, applies to a personal insurance:

(1) policy application that is submitted; or

(2) policy that is issued, delivered, amended, or renewed; after December 31, 2003.

2003-204-3

SECTION 3. (a) IC 27-8-5-26, as amended by this act, applies to a policy of accident and sickness insurance that is issued, delivered, amended, or renewed after June 30, 2003.

(b) IC 27-13-7-14, as amended by this act, applies to an individual contract or a group contract that is entered into, delivered, amended, or renewed after June 30, 2003.

2003-205-45

SECTION 45. (a) Notwithstanding IC 16-31-3.5-3(a), as added by this act, the prohibition against an individual acting as an emergency medical dispatcher unless the individual is certified by the Indiana emergency medical services commission as an emergency medical dispatcher does not apply to an individual before July 1, 2005.

(b) Notwithstanding IC 16-31-3.5-3(b), as added by this act, the prohibition against a person acting as an emergency medical dispatch agency unless the person is certified by the Indiana emergency medical services commission as an emergency medical dispatch agency does not apply to a person before July 1, 2005.

(c) This SECTION expires July 2, 2005.

2003-208-16

SECTION 16. (a) After June 30, 2003, any reference in a statute or rule referring to the driver licensing advisory committee is considered a reference to the driver licensing medical advisory board.

(b) On July 1, 2003, the driver licensing medical advisory board becomes the owner of all the personal property and assets and assumes the obligations and liabilities of the driver licensing advisory committee, as abolished by this act.

2003-209-204

SECTION 204. (a) The definitions in IC 3-5-2 apply throughout this SECTION.

(b) Not later than December 31, 2003, each county voter registration office shall identify each registered voter in the county who:

- (1) registered by mail under IC 3-7-22 by submitting an application after December 31, 2002; and
- (2) would be required to provide personal identification under 42 U.S.C. 15483 before voting either in person or by mail at an election conducted after December 31, 2003.

(c) Not later than March 1, 2004, the county voter registration office shall mail a notice to each voter identified in subsection (b). The notice must:

- (1) inform the voter regarding the additional personal identification required by federal law before the voter casts a ballot in person or by mail; and
- (2) encourage the voter to submit photocopies of the required documentation to the county voter registration office before election day.

(d) Not later than July 1, 2003, the election division shall provide each county voter registration office with a sample notice for purposes of mailings required under this SECTION.

(e) A county:

- (1) may mail a notice to a voter under this SECTION at any time after receiving the sample notice under subsection (d); and
- (2) is not required to mail the notice to all voters described in subsection (b) as part of the same mailing.

(f) This SECTION expires December 31, 2004.

2003-209-205

SECTION 205. (a) The definitions in IC 3-5-2 apply throughout this SECTION.

(b) Not later than July 1, 2003, the commission shall act under IC 3-11-4-5.1 to approve absentee ballot application forms that include a notice that certain voters who registered by mail are required to provide additional personal identification before voting an absentee ballot by mail.

(c) Notwithstanding IC 3-5-4-8, an absentee ballot application form approved by the commission before December 31, 2003, that does not comply with subsection (b) may not be accepted for filing with a

county election board after December 31, 2003.

(d) This SECTION expires December 31, 2004.

2003-209-206

SECTION 206. (a) The election division of the office of the secretary of state shall study the congressional recommendation set forth in Section 701 of the Help America Vote Act of 2002 that the single office in Indiana designated under IC 3-11-4-5.5 to provide absentee balloting and voter registration information to military and overseas voters also be authorized to accept valid voter registration applications, absentee ballot applications, and absentee ballots from all military and overseas voters who wish to register to vote or vote in Indiana.

(b) The election division shall consult with circuit court clerks and county voter registration officers in conducting this study and shall publish a report containing the results of this study not later than June 1, 2004.

(c) The election division shall submit the report to the census data advisory committee along with suggestions for additional legislation necessary to implement any recommendations contained in the report.

(d) The election division shall consider incorporating the features described in subsection (a) into the statewide voter registration system established under IC 3-7-26.

(e) This SECTION expires January 2, 2005.

2003-209-207

SECTION 207. (a) Before January 1, 2004, the Indiana election commission shall act under IC 3-11-4-5.1 to make any revision required to the absentee ballot application form prescribed by the commission under that section to conform the application to the standard oath prescribed for absent uniformed services voters and overseas voters under 42 U.S.C. 1973ff-1(b).

(b) An absentee ballot application form approved by the commission before January 1, 2004, that does not comply with any requirement under 42 U.S.C. 1973ff-1(b) may not be used for any election conducted after December 31, 2003.

(c) This SECTION expires January 1, 2005.

2003-209-208

SECTION 208. (a) Before January 1, 2004, the Indiana election commission shall act under IC 3-5-4-8 to make any revision required to the affidavit printed on the absentee ballot mailing envelope described by IC 3-11-4-21 to conform the application to the standard oath prescribed for absent uniformed services voters and overseas voters under 42 U.S.C. 1973ff-1(b).

(b) An absentee ballot mailing envelope approved by the commission before January 1, 2004, that does not comply with any requirement under 42 U.S.C. 1973ff-1(b) or IC 3-11-4-21 may not be used for any election conducted after December 31, 2003.

(c) This SECTION expires January 1, 2005.

2003-209-209

SECTION 209. (a) The definitions set forth in IC 3-5-2 apply to this SECTION.

(b) Notwithstanding IC 3-5-4-8, a registration by mail form approved by the commission under IC 3-7-22 before January 1, 2003, may not be filed by an applicant or processed by a county voter registration office after December 31, 2003.

(c) The election division shall:

(1) notify the offices and entities designated as mail-in registration form distribution sites under IC 3-7 or a county NVRA plan that the registration forms previously furnished to those offices and entities will be obsolete after December 31, 2003; and

(2) provide each office or entity with mail-in registration forms that comply with IC 3-7-22, as amended by this act, not later than December 31, 2003.

(d) The election division shall provide mail-in registration forms under subsection (c) in the quantity that the election division determines should be sufficient for the office or entity to supply voter registration applications to voters until December 31, 2004. In complying with this subsection, the election division shall attempt to reduce costs by publicizing the availability of a downloadable voter registration application on the election division's web site.

(e) This SECTION expires January 1, 2005.

2003-209-210

SECTION 210. (a) The secretary of state with the consent of the co-directors of the election division shall implement, in a uniform and nondiscriminatory manner, a single, uniform, official, centralized, and interactive statewide voter registration list in accordance with the requirements set forth in 42 U.S.C. 15483 and IC 3-7-26.3, as added by this act.

(b) Not later than January 1, 2004, the secretary of state with the consent of the co-directors of the election division may certify to the federal Election Assistance Commission under Section 303(d)(1)(B) of the Help America Vote Act of 2002 that the state will not meet the deadline of January 1, 2004, to establish a statewide voter registration system that complies with 42 U.S.C. 15483.

(c) As required by Section 303(d)(1)(B) of the Help America Vote Act of 2002, the certification must state:

(1) that the inability of the state to meet this deadline is for good cause; and

(2) the reasons for the inability to meet the deadline.

(d) This SECTION expires January 1, 2006.

2003-209-211

SECTION 211. (a) This SECTION applies to a voter who has not

been assigned a voter identification number under IC 3-7-13-13.

(b) Not later than January 1, 2006, the election division shall assign a voter identification number to the voter's registration record in the computerized list maintained under IC 3-7-26.3. The number must be assigned in accordance with IC 3-7-13-13.

(c) This SECTION expires January 1, 2006.

2003-209-212

SECTION 212. (a) The definitions set forth in IC 3-5-2 apply throughout this SECTION.

(b) Not later than April 7, 2003, the governor, in consultation and coordination with the secretary of state and the co-directors of the election division, shall notify the federal Administrator of General Services that the state of Indiana intends to use payments under Section 101 of HAVA (42 U.S.C. 15301) in accordance with Section 101 of HAVA.

(c) This section expires December 31, 2003.

2003-209-213

SECTION 213. (a) The definitions set forth in IC 3-5-2 apply throughout this SECTION.

(b) Not later than April 7, 2003, the governor, in consultation and coordination with the secretary of state and the co-directors of the election division, shall give the notice to the federal Administrator of General Services under Section 102(b) of HAVA (42 U.S.C. 15302) in accordance with Section 102 of HAVA.

(c) This section expires December 31, 2003.

2003-209-214

SECTION 214. (a) The definitions set forth in IC 3-5-2 apply to this SECTION.

(b) Subject to subsection (d), a voting machine system may not be used in an election in Indiana after December 31, 2003.

(c) Subject to subsection (e), a punch card voting system may not be used in an election in Indiana after December 31, 2003.

(d) Notwithstanding subsection (b), a voting machine system may be used in an election in Indiana after December 31, 2003, and before January 1, 2006, if not later than December 31, 2003, the secretary of state with the consent of the co-directors of the election division certifies to the federal Administrator of General Services under Section 102(a)(3)(B) of HAVA (42 U.S.C. 15302) that the state cannot replace all voting machine systems in Indiana before January 1, 2004.

(e) Notwithstanding subsection (c), a punch card voting system may be used in an election in Indiana after December 31, 2003, and before January 1, 2006, if not later than December 31, 2003, the secretary of state with the consent of the co-directors of the election division certifies to the federal Administrator of General Services under Section 102(a)(3)(B) of HAVA (42 U.S.C. 15302) that the state cannot replace all punch card voting systems in Indiana before January 1, 2004.

(f) This SECTION expires January 1, 2006.

2003-209-215

SECTION 215. (a) The definitions set forth in IC 3-5-2 apply throughout this SECTION.

(b) The census data advisory committee shall prepare legislation for introduction in the 2004 session of the Indiana general assembly to make appropriate amendments to Indiana statutes by removing references to voting machine systems and punch card voting systems.

(c) This SECTION expires January 1, 2006.

2003-209-216

SECTION 216. (a) The definitions set forth in IC 3-5-2 apply throughout this SECTION.

(b) Not later than June 30, 2003, the secretary of state with the consent of the co-directors of the election division shall file a statement with the federal Election Assistance Commission.

(c) The statement under subsection (b) must certify that the state is in compliance with the requirements referred to in Section 253(b) of HAVA (42 U.S.C. 15403) and be in the form authorized by Section 253 of HAVA.

(d) This SECTION expires December 31, 2003.

2003-209-217

SECTION 217. (a) Each county election board shall determine, not later than December 31, 2003, whether the board will adopt an order authorizing the appointment of a precinct election officer under IC 3-6-6-39, as amended by this act.

(b) An order adopted under this SECTION remains in effect until repealed by the unanimous vote of the entire membership of the county election board.

(c) This SECTION expires January 1, 2004.

2003-211-10

SECTION 10. (a) An insurer that issues a policy of accident and sickness insurance that contains a waiver under IC 27-8-5-2.5(e) or IC 27-8-5-19.2, both as added by this act, shall submit to the commissioner of the department of insurance the following information for the reporting periods specified under subsection (b) on a form prescribed by the commissioner:

- (1) The number of policies that the insurer issued with a waiver.
- (2) A list of specified conditions that the insurer waived.
- (3) The number of waivers issued for each specified condition listed under subdivision (2).
- (4) The number of waivers issued categorized by the period of time for which coverage of a specified condition was waived.
- (5) The number of applicants who were denied insurance coverage by the insurer because of a specified condition.
- (6) The number of:

- (A) complaints; and
 - (B) requests for external grievance review;
- filed in relation to a waiver.

(b) An insurer shall submit the information required under subsection (a) as follows:

- (1) Not later than August 1, 2004, for the reporting period July 1, 2003, through June 30, 2004.
- (2) Not later than August 1, 2005, for the reporting period July 1, 2004, through June 30, 2005.
- (3) Not later than August 1, 2006, for the reporting period July 1, 2005, through June 30, 2006.
- (4) Not later than August 1, 2007, for the reporting period July 1, 2006, through June 30, 2007.

(c) The commissioner of the department of insurance shall forward the information submitted:

- (1) under subsection (b)(1) not later than November 1, 2004;
- (2) under subsection (b)(2) not later than November 1, 2005;
- (3) under subsection (b)(3) not later than November 1, 2006; and
- (4) under subsection (b)(4) not later than November 1, 2007;

to the legislative council.

(d) The commissioner of the department of insurance shall compile the information submitted under subsection (b) and, not later than November 1 of each year, report the information to the legislative council and each member of the general assembly.

(e) The commissioner of the department of insurance shall after June 30 of each year beginning in 2004 perform written or oral interviews with every available certificate holder of a certificate of coverage issued under IC 27-8-5-19.2, as added by this act, and compile the results of the interviews and report the results to the legislative council:

- (1) for the period beginning July 1, 2003, and ending June 30, 2004, not later than November 1, 2004;
- (2) for the period beginning July 1, 2004, and ending June 30, 2005, not later than November 1, 2005;
- (3) for the period beginning July 1, 2005, and ending June 30, 2006, not later than November 1, 2006; and
- (4) for the period beginning July 1, 2006, and ending June 30, 2007, not later than November 1, 2007.

All costs related to this subsection must be borne by the insurers selected under IC 27-8-5-19.2, as added by this act.

(f) This SECTION expires June 30, 2008.

2003-214-8

SECTION 8. P.L.192-2002(ss), SECTION 207 applies to this act.

2003-215-5

SECTION 5. IC 6-1.1-44, as added by this act, applies to property taxes first due and payable after December 31, 2004.

2003-215-6

SECTION 6. IC 6-3.1-25.2, as added by this act, applies to taxable years beginning after December 31, 2003.

2003-216-19

SECTION 19. (a) After June 30, 2003, any reference in a statute or rule referring to the Indiana children's trust fund board is considered a reference to the Indiana kids first trust fund board.

(b) On July 1, 2003, the Indiana kids first trust fund board becomes the owner of all the personal property and assets and assumes the obligations and liabilities of the Indiana children's trust fund board, as it existed before the effective date of this act.

2003-218-3

SECTION 3. (a) The office of Medicaid policy and planning established by IC 12-8-6-1, in cooperation with the attorney general's office, shall contract with an outside vendor to conduct an annual audit of areas of the state Medicaid program, including:

- (1) the claims processing contractor;
- (2) provider billing practices; and
- (3) overutilization of services by Medicaid recipients.

(b) The office of Medicaid policy and planning shall provide any atypical or unusual information collected under this SECTION to the Medicaid clinical advisory committee established under IC 12-15-33.5. The committee shall review individual cases of utilization and clinical practice.

(c) Information obtained or used in the audit required under subsection (a) that identifies an individual Medicaid contractor, provider, or recipient must be kept confidential unless the attorney general commences an official action by the state concerning fraudulent activity.

(d) The office of Medicaid policy and planning shall report to the state budget committee and the select joint commission on Medicaid oversight upon request regarding the office's implementation of this SECTION.

(e) This SECTION expires December 31, 2007.

2003-219-13

SECTION 13. (a) Notwithstanding IC 8-2.1-24-18, as amended by this act, the requirement that 49 CFR 383 and 384 be incorporated into Indiana law by reference, as provided by IC 8-2.1-24-18, as amended by this act, does not apply before July 1, 2005.

(b) Notwithstanding IC 9-13-2-161, as amended by this act, the inclusion of "commercial motor vehicle" within the definition of "school bus" and the specification that a school bus may be used to transport preschool, elementary, or secondary school children, as provided by IC 9-13-2-161, as amended by this act, does not apply before July 1, 2005.

(c) Notwithstanding IC 9-24-6-1, as amended by this act, IC 9-24-6

does not apply to a motor vehicle that is used as a school bus, that is designed to carry more than fifteen (15) passengers, including the driver, and that is exempt under 49 U.S.C. 521, 49 U.S.C. 31104, and 49 U.S.C. 31301 through 31306, or applicable federal regulations, as provided by IC 9-24-6-1, as amended by this act, before July 1, 2005.

(d) Notwithstanding IC 9-24-6-2, as amended by this act:

(1) the requirement that the rules adopted by the bureau of motor vehicles to regulate persons required to hold a commercial driver's license shall carry out 49 CFR 384;

(2) the prohibition against the rules adopted by the bureau of motor vehicles to regulate persons required to hold a commercial driver's license being more restrictive than the federal Motor Carrier Safety Improvement Act of 1999 (MCSIA) (Public Law 106-159.113 Stat. 1748); and

(3) the adoption of 49 CFR 384 as Indiana law;

as provided by IC 9-24-6-2, as amended by this act, do not apply before July 1, 2005.

2003-223-1

SECTION 1. (a) This SECTION applies to a member of the 1977 police officers' and firefighters' pension and disability fund (1977 fund) who:

(1) first became a member of the 1977 fund after December 31, 1993, and before October 1, 1996;

(2) was at least thirty-six (36) years of age at the time the member first became a member of the 1977 fund; and

(3) will not accrue twenty (20) years of service credit in the 1977 fund before the member reaches the mandatory retirement age established by the member's employer.

(b) In addition to the service credit that a member earns through active service, before a member retires the member may purchase the additional amount of service credit needed for the member to retire with a full unreduced benefit by making contributions to the 1977 fund equal to the product of the following:

(1) The salary of a first class patrolman or firefighter, whichever is applicable, at the time the member makes the contribution.

(2) Twenty-seven percent (27%).

(3) The number of years of service credit the member intends to purchase.

(c) The following apply to the purchase of service credit under this SECTION:

(1) The service credit allowed is limited to the amount necessary, when added to the member's active service, for the member to accrue twenty (20) years of service credit in the 1977 fund by the time the member reaches the mandatory retirement age established by the member's employer.

(2) The member may pay the amount determined in subsection (b) as:

(A) a lump sum; or

- (B) a series of payments determined by the public employees' retirement fund (PERF) board, not to exceed five (5) annual payments, plus interest over the period of the payments at a rate determined by the actuary for the 1977 fund.
- (3) A member may not use the service credit unless the member has made all payments required for the purchase of the service credit.
- (4) To the extent permitted by IC 36-8-8-18, a member may use:
 - (A) a rollover distribution; or
 - (B) a trustee to trustee transfer;
 to purchase service credit under this SECTION.
- (d) If a member terminates employment before satisfying the eligibility requirements necessary to receive a monthly benefit under IC 36-8-8, the PERF board shall return the purchase amount, plus accumulated interest, in accordance with IC 36-8-8-8.
- (e) A member's employer may adopt an ordinance to pay all or part of the member's contributions required for the purchase of service under this SECTION.
- (f) This SECTION expires December 31, 2007.

2003-224-1

SECTION 1.

- (a) The following definitions apply throughout this act:
 - (1) "Augmentation allowed" means the governor and the budget agency are authorized to add to an appropriation in this act from revenues accruing to the fund from which the appropriation was made.
 - (2) "Biennium" means the period beginning July 1, 2003, and ending June 30, 2005. Appropriations appearing in the biennial column for construction or other permanent improvements may be allotted as provided in IC 4-13-2-19.
 - (3) "Deficiency appropriation" or "special claim" means an appropriation available during the 2002-2003 fiscal year.
 - (4) "Equipment" includes machinery, implements, tools, furniture, furnishings, vehicles, and other articles that have a calculable period of service that exceeds twelve (12) calendar months.
 - (5) "Fee replacement" includes repayment on indebtedness resulting from financing the cost of planning, purchasing, rehabilitation, construction, repair, leasing, lease-purchasing, or otherwise acquiring land, buildings, facilities, and equipment to be used for academic and instructional purposes.
 - (6) "Other operating expense" includes payments for "services other than personal", services by contract, "supplies, materials, and parts", "grants, subsidies, refunds, and awards", "in-state travel", "out-of-state travel", and "equipment".
 - (7) "Pension fund contributions" means the state of Indiana's contributions to a specific retirement fund.
 - (8) "Personal services" includes payments for salaries and wages to officers and employees of the state (either regular or temporary), payments for compensation awards, and the employer's share of Social Security, health insurance, life insurance, disability and retirement fund contributions.
 - (9) "SSBG" means the Social Services Block Grant. This was formerly referred to as "Title XX".

(10) "State agency" means:

(A) each office, officer, board, commission, department, division, bureau, committee, fund, agency, authority, council, or other instrumentality of the state;

(B) each hospital, penal institution, and other institutional enterprise of the state;

(C) the judicial department of the state; and

(D) the legislative department of the state.

However, this term does not include cities, towns, townships, school cities, school townships, school districts, other municipal corporations or political subdivisions of the state, or universities and colleges supported in whole or in part by state funds.

(11) "Total operating expense" includes payments for both "personal services" and "other operating expense".

(b) The state board of finance may authorize advances to boards or persons having control of the funds of any institution or department of the state of a sum of money out of any appropriation available at such time for the purpose of establishing working capital to provide for payment of expenses in the case of emergency when immediate payment is necessary or expedient. Advance payments shall be made by warrant by the auditor of state, and properly itemized and receipted bills or invoices shall be filed by the board or persons receiving the advance payments.

(c) All money appropriated by this act shall be considered either a direct appropriation or an appropriation from a rotary or revolving fund.

(1) Direct appropriations are subject to withdrawal from the state treasury and for expenditure for such purposes, at such time, and in such manner as may be prescribed by law. Direct appropriations are not subject to return and rewithdrawal from the state treasury, except for the correction of an error which may have occurred in any transaction or for reimbursement of expenditures which have occurred in the same fiscal year.

(2) A rotary or revolving fund is any designated part of a fund that is set apart as working capital in a manner prescribed by law and devoted to a specific purpose or purposes. The fund consists of earnings and income only from certain sources or a combination thereof. However derived, the money in the fund shall be used for the purpose designated by law as working capital. The fund at any time consists of the original appropriation thereto, if any, all receipts accrued to the fund, and all money withdrawn from the fund and invested or to be invested. The fund shall be kept intact by separate entries in the auditor of state's office, and no part thereof shall be used for any purpose other than the lawful purpose of the fund or revert to any other fund at any time. However, any unencumbered excess above any prescribed amount shall be transferred to the state general fund at the close of each fiscal year unless otherwise specified in the Indiana Code.

2003-224-2

SECTION 2.

For the conduct of state government, its offices, funds, boards, commissions, departments, societies, associations, services, agencies, and undertakings, and for other appropriations not otherwise provided by statute, the following sums in SECTIONS 3 through 10 are appropriated for the periods of time designated from the general fund of the state of Indiana or other specifically designated funds.

In this act, whenever there is no specific fund or account designated, the appropriation

is from the general fund.

2003-224-3

SECTION 3.

GENERAL GOVERNMENT

A. LEGISLATIVE

FOR THE GENERAL ASSEMBLY

LEGISLATORS' SALARIES - HOUSE

Total Operating Expense	3,550,728	5,512,333
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HOUSE EXPENSES

Total Operating Expense	7,188,733	7,799,322
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LEGISLATORS' SALARIES - SENATE

Total Operating Expense	1,071,285	1,071,285
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SENATE EXPENSES

Total Operating Expense	7,186,750	7,797,170
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Included in the above appropriations for house and senate expenses are funds for a legislative business per diem allowance, meals and other usual and customary expenses associated with legislative affairs. Except as provided below, this allowance is to be paid to each member of the general assembly for every day, including Sundays, during which the general assembly is convened in regular or special session, commencing with the day the session is officially convened and concluding with the day the session is adjourned sine die. However, after five (5) consecutive days of recess, the legislative business per diem allowance is to be made on an individual voucher basis until the recess concludes.

Members of the general assembly are entitled, when authorized by the speaker of the house or the president pro tempore of the senate, to the legislative business per diem allowance for each and every day engaged in official business.

The legislative business per diem allowance that each member of the general assembly is entitled to receive equals the maximum daily amount allowable to employees of the executive branch of the federal government for subsistence expenses while away from home in travel status in the Indianapolis area. The legislative business per diem changes each time there is a change in that maximum daily amount.

In addition to the legislative business per diem allowance, each member of the general assembly shall receive the mileage allowance in an amount equal to the standard mileage rates for personally owned transportation equipment established by the federal Internal Revenue Service for each mile necessarily traveled from the member's usual place of residence to the state capitol. However, if the member traveled by a means other than by motor vehicle, and the member's usual place of residence is more than one hundred (100) miles from the state capitol, the member is entitled to reimbursement in an amount equal to the lowest air travel cost incurred in traveling from the usual place of residence to the state capitol. During the period the general assembly is convened in regular or special session, the mileage allowance shall be limited to one (1) round trip each week per member.

Any member of the general assembly who is appointed, either by the governor, speaker of the house, president or president pro tempore of the senate, house or senate minority floor leader, or Indiana legislative council to serve on any research, study, or survey committee or commission, or who attends any meetings authorized or convened under the auspices of the Indiana legislative council, including pre-session conferences and federal-state relations conferences, is entitled, when authorized by the legislative

council, to receive the legislative business per diem allowance for each day in actual attendance and is also entitled to a mileage allowance, at the rate specified above, for each mile necessarily traveled from the member's usual place of residence to the state capitol, or other in-state site of the committee, commission, or conference. The per diem allowance and the mileage allowance permitted under this paragraph shall be paid from the legislative council appropriation for legislator and lay member travel unless the member is attending an out-of-state meeting, as authorized by the speaker of the house of representatives or the president pro tempore of the senate, in which case the member is entitled to receive:

(1) the legislative business per diem allowance for each day the member is engaged in approved out-of-state travel; and

(2) reimbursement for traveling expenses actually incurred in connection with the member's duties, as provided in the state travel policies and procedures established by the legislative council.

Notwithstanding the provisions of this or any other statute, the legislative council may adopt, by resolution, travel policies and procedures that apply only to members of the general assembly or to the staffs of the house of representatives, senate, and legislative services agency, or both members and staffs. The legislative council may apply these travel policies and procedures to lay members serving on research, study, or survey committees or commissions that are under the jurisdiction of the legislative council. Notwithstanding any other law, rule, or policy, the state travel policies and procedures established by the Indiana department of administration and approved by the budget agency do not apply to members of the general assembly, to the staffs of the house of representatives, senate, or legislative services agency, or to lay members serving on research, study, or survey committees or commissions under the jurisdiction of the legislative council (if the legislative council applies its travel policies and procedures to lay members under the authority of this SECTION), except that, until the legislative council adopts travel policies and procedures, the state travel policies and procedures established by the Indiana department of administration and approved by the budget agency apply to members of the general assembly, to the staffs of the house of representatives, senate, and legislative services agency, and to lay members serving on research, study, or survey committees or commissions under the jurisdiction of the legislative council. The executive director of the legislative services agency is responsible for the administration of travel policies and procedures adopted by the legislative council. The auditor of state shall approve and process claims for reimbursement of travel related expenses under this paragraph based upon the written affirmation of the speaker of the house of representatives, the president pro tempore of the senate, or the executive director of the legislative services agency that those claims comply with the travel policies and procedures adopted by the legislative council. If the funds appropriated for the house and senate expenses and legislative salaries are insufficient to pay all the necessary expenses incurred, including the cost of printing the journals of the house and senate, there is appropriated such further sums as may be necessary to pay such expenses.

LEGISLATORS' SUBSISTENCE

LEGISLATORS' EXPENSES - HOUSE

Total Operating Expense	1,775,765	2,015,396
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LEGISLATORS' EXPENSES - SENATE

Total Operating Expense	922,272	1,046,728
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Each member of the general assembly is entitled to a subsistence allowance of forty percent (40%) of the maximum daily amount allowable to employees of the executive branch of the federal government for subsistence expenses while away from home in travel status in the Indianapolis area:

- (1) each day that the general assembly is not convened in regular or special session; and
- (2) each day after the first session day held in November and before the first session day held in January.

However, the subsistence allowance under subdivision (2) may not be paid with respect to any day after the first session day held in November and before the first session day held in January with respect to which all members of the general assembly are entitled to a legislative business per diem.

The subsistence allowance is payable from the appropriations for legislators' subsistence. The officers of the senate are entitled to the following amounts annually in addition to the subsistence allowance: president pro tempore, \$6,500; assistant president pro tempore, \$2,500; majority floor leader, \$5,000; assistant majority floor leader, \$1,000; majority caucus chair, \$5,000; assistant majority caucus chair, \$1,000; finance committee chair, \$5,000; budget subcommittee chair, \$4,000; finance committee ranking majority member, \$2,000; majority whip, \$3,500; assistant majority whip, \$1,000; minority floor leader, \$5,500; minority caucus chair, \$4,500; minority assistant floor leader, \$4,500; finance committee ranking minority member, \$3,500; minority whip, \$2,500; assistant minority whip, \$500; and assistant minority caucus chair, \$500.

Officers of the house of representatives are entitled to the following amounts annually in addition to the subsistence allowance: speaker of the house, \$6,500; speaker pro tempore, \$5,000; deputy speaker pro tempore, \$1,500; majority leader, \$5,000; majority caucus chair, \$5,000; assistant majority caucus chair, \$1,000; ways and means committee chair, \$5,000; ways and means committee ranking majority member, \$3,000; speaker pro tempore emeritus, \$1,500; budget subcommittee chair, \$3,000; majority whip, \$3,500; assistant majority whip, \$1,000; assistant majority leader, \$1,000; minority leader, \$5,500; minority caucus chair, \$4,500; ways and means committee ranking minority member, \$3,500; minority whip, \$2,500; assistant minority leader, \$4,500; second assistant minority leader, \$1,500; and deputy assistant minority leader, \$1,000.

If the funds appropriated for legislators' subsistence are insufficient to pay all the subsistence incurred, there are hereby appropriated such further sums as may be necessary to pay such subsistence.

FOR THE LEGISLATIVE COUNCIL AND THE LEGISLATIVE SERVICES AGENCY

Total Operating Expense	7,887,000	8,122,000
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LEGISLATOR AND LAY MEMBER TRAVEL

Total Operating Expense	560,000	570,000
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If the funds above appropriated for the legislative council and the legislative services agency and legislator and lay member travel are insufficient to pay all the necessary expenses incurred, there are hereby appropriated such further sums as may be necessary to pay those expenses.

Any person other than a member of the general assembly who is appointed by the governor, speaker of the house, president or president pro tempore of the senate, house or senate minority floor leader, or legislative council to serve on any research, study, or survey committee or commission is entitled, when authorized by the legislative council, to a per diem instead of subsistence of \$75 per day during the 2003-2005

biennium. In addition to the per diem, such a person is entitled to mileage reimbursement, at the rate specified for members of the general assembly, for each mile necessarily traveled from the person's usual place of residence to the state capitol or other in-state site of the committee, commission, or conference. However, reimbursement for any out-of-state travel expenses claimed by lay members serving on research, study, or survey committees or commissions under the jurisdiction of the legislative council shall be based on SECTION 19 of this act, until the legislative council applies those travel policies and procedures that govern legislators and their staffs to such lay members as authorized elsewhere in this SECTION. The allowance and reimbursement permitted in this paragraph shall be paid from the legislative council appropriations for legislative and lay member travel unless otherwise provided for by a specific appropriation.

LEGISLATIVE COUNCIL CONTINGENCY FUND

Total Operating Expense	200,000
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Disbursements from the fund may be made only for purposes approved by the chairman and vice chairman of the legislative council.

The legislative services agency shall charge the following fees, unless the legislative council sets these or other fees at different rates:

Annual subscription to the session document service for sessions ending in odd-numbered years: \$900

Annual subscription to the session document service for sessions ending in even-numbered years: \$500

Per page charge for copies of legislative documents: \$0.15

Annual charge for interim calendar: \$10

Daily charge for the journal of either house: \$2

PRINTING AND DISTRIBUTION

Total Operating Expense	550,000	580,000
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The above funds are appropriated for the printing and distribution of documents published by the legislative council. These documents include journals, bills, resolutions, enrolled documents, the acts of the first and second regular sessions of the 113th general assembly, the supplements to the Indiana Code for fiscal years 2003-2004 and 2004-2005, and the publication of the Indiana Administrative Code and the Indiana Register. Upon completion of the distribution of the Acts and the supplements to the Indiana Code, as provided in IC 2-6-1.5, remaining copies may be sold at a price or prices periodically determined by the legislative council. If the above appropriations for the printing and distribution of documents published by the legislative council are insufficient to pay all of the necessary expenses incurred, there are hereby appropriated such sums as may be necessary to pay such expenses.

COUNCIL OF STATE GOVERNMENTS ANNUAL DUES

Other Operating Expense	133,000	138,000
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NATIONAL CONFERENCE OF STATE LEGISLATURES ANNUAL DUES

Other Operating Expense	153,000	159,000
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FOR THE INDIANA LOBBY REGISTRATION COMMISSION

Total Operating Expense	218,285	218,285
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FOR THE PUBLIC EMPLOYEES' RETIREMENT FUND

LEGISLATORS' RETIREMENT FUND

Total Operating Expense	205,540	205,540
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B. JUDICIAL

FOR THE SUPREME COURT

Personal Services	5,709,622	5,619,266
Other Operating Expense	1,459,198	1,531,450

The above appropriation for the supreme court personal services includes the subsistence allowance as provided by IC 33-13-12-9.

LOCAL JUDGES' SALARIES

Personal Services	41,247,705	41,247,273
Other Operating Expense	11,100	11,100

COUNTY PROSECUTORS' SALARIES

Personal Services	17,256,096	17,256,096
Other Operating Expense	6,400	6,400

The above appropriations for county prosecutors' salaries represent the amounts authorized by IC 33-14-7-5 and that are to be paid from the state general fund.

In addition to the appropriations for local judges' salaries and for county prosecutors' salaries, there are hereby appropriated for personal services the amounts that the state is required to pay for salary changes or for additional courts created by the 113th general assembly.

TRIAL COURT OPERATIONS

Total Operating Expense	353,500	353,500
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INDIANA CONFERENCE FOR LEGAL EDUCATION OPPORTUNITY

Total Operating Expense	625,000	625,000
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The above funds are appropriated to the division of state court administration in compliance with the provisions of IC 33-2.1-12-7.

PUBLIC DEFENDER COMMISSION

Public Defense Fund

Total Operating Expense	4,600,000	4,600,000
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Augmentation allowed.

The above appropriation is made in addition to the distribution authorized by IC 33-19-7-5(c) for the purpose of reimbursing counties for indigent defense services provided to a defendant. The division of state court administration of the supreme court of Indiana shall provide staff support to the commission and shall administer the fund. The administrative costs may come from the fund.

GUARDIAN AD LITEM

Total Operating Expense	800,000	800,000
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The division of state court administration shall use the foregoing appropriation to administer an office of guardian ad litem and court appointed special advocate services and to provide matching funds to counties that are required to implement, in courts with juvenile jurisdiction, a guardian ad litem and court appointed special advocate program for children who are alleged to be victims of child abuse or neglect under IC 31-33 and to administer the program. However, the court may not use more than \$75,000 per state fiscal year for administration of the program. A county may use these matching funds to supplement amounts collected as fees under IC 31-40-3 and used for the operation of guardian ad litem and court appointed special advocate programs. The county fiscal body shall appropriate adequate funds for the county to be eligible for these matching funds.

CIVIL LEGAL AID

Total Operating Expense	1,000,000	1,000,000
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The above funds are appropriated to the division of state court administration in compliance with the provisions of IC 33-2.1-11-7.

SPECIAL JUDGES - COUNTY COURTS

Personal Services	3,000	3,000
Other Operating Expense	120,000	120,000
If the funds appropriated above for special judges of county courts are insufficient to pay all of the necessary expenses that the state is required to pay under IC 34-35-1-4, there are hereby appropriated such further sums as may be necessary to pay these expenses.		
COMMISSION ON RACE AND GENDER FAIRNESS		
Total Operating Expense	260,996	260,996
FOR THE CLERK OF THE SUPREME AND APPELLATE COURTS		
Personal Services	707,885	707,885
Other Operating Expense	186,205	186,205
FOR THE COURT OF APPEALS		
Personal Services	7,788,244	7,521,971
Other Operating Expense	1,148,220	1,152,220
The above appropriations for the court of appeals personal services includes the subsistence allowance provided by IC 33-13-12-9.		
FOR THE TAX COURT		
Personal Services	475,879	465,420
Other Operating Expense	111,146	123,350
FOR THE JUDICIAL CENTER		
Personal Services	1,233,026	1,214,495
Other Operating Expense	694,744	736,924
The above appropriations for the judicial center include the appropriations for the judicial conference.		
DRUG AND ALCOHOL PROGRAMS FUND		
Total Operating Expense	299,010	299,010
The above funds are appropriated under IC 33-19-7-5 for the purpose of administering, certifying, and supporting alcohol and drug services programs under IC 12-23-14. However, if the receipts are less than the appropriation, the center may not spend more than is collected.		
INTERSTATE COMPACT FOR ADULT OFFENDER SUPERVISION		
Total Operating Expense	65,707	53,158
Augmentation allowed from fee increases enacted in 2003 general assembly.		
FOR THE PUBLIC DEFENDER		
Personal Services	5,110,515	5,092,572
Other Operating Expense	952,820	985,133
FOR THE PUBLIC DEFENDER COUNCIL		
Personal Services	840,096	840,096
Other Operating Expense	228,458	228,458
FOR THE PROSECUTING ATTORNEYS' COUNCIL		
Personal Services	859,204	859,204
Other Operating Expense	164,489	164,489
DRUG PROSECUTION		
Drug Prosecution Fund (IC 33-14-8-5)		
Total Operating Expense	103,436	103,436
Augmentation allowed.		
FOR THE PUBLIC EMPLOYEES' RETIREMENT FUND		
JUDGES' RETIREMENT FUND		
Other Operating Expense	9,584,871	10,159,964

PROSECUTORS' RETIREMENT FUND		
Other Operating Expense	933,000	961,000
C. EXECUTIVE		
FOR THE GOVERNOR'S OFFICE		
Personal Services	2,069,306	2,069,306
Other Operating Expense	124,352	124,352
GOVERNOR'S RESIDENCE		
Total Operating Expense	166,337	166,337
GOVERNOR'S CONTINGENCY FUND		
Total Operating Expense		163,488
Direct disbursements from the above contingency fund are not subject to the provisions of IC 5-22.		
MISCELLANEOUS EXPENSES		
Total Operating Expense	9,822	9,822
GOVERNOR'S FELLOWSHIP PROGRAM		
Total Operating Expense	154,906	154,906
FOR THE WASHINGTON LIAISON OFFICE		
Total Operating Expense	195,037	195,037
FOR THE LIEUTENANT GOVERNOR		
Personal Services	735,673	735,673
Other Operating Expense	26,833	26,833
CONTINGENCY FUND		
Total Operating Expense		38,000
Direct disbursements from the above contingency fund are not subject to the provisions of IC 5-22.		
FOR THE SECRETARY OF STATE		
ADMINISTRATION		
Personal Services	367,569	367,569
Other Operating Expense	33,415	33,415
BUSINESS SERVICES		
Personal Services	797,251	797,251
Other Operating Expense	177,700	177,700
SECURITIES DIVISION		
Personal Services	854,140	854,140
Other Operating Expense	67,545	67,545
FOR THE ATTORNEY GENERAL		
ATTORNEY GENERAL		
From the General Fund		
	12,103,579	12,103,579
From the Telephone Solicitation Fund		
	17,260	17,260
Augmentation allowed.		
From the Motor Vehicle Odometer Fund (IC 9-29-1-5)		
	701,744	701,744
Augmentation allowed.		
From the Medicaid Fraud Control Unit Fund		
	579,371	579,371
Augmentation allowed.		
From the Abandoned Property Fund (IC 32-34-1-33)		

	167,583	167,583
Augmentation allowed.		
The amounts specified from the General Fund, Motor Vehicle Odometer Fund, Medicaid Fraud Control Unit Fund, and Abandoned Property Fund are for the following purposes:		
Personal Services	12,410,304	12,410,304
Other Operating Expense	1,159,233	1,159,233
MEDICAID FRAUD UNIT		
Total Operating Expense	846,806	846,806
The above appropriations to the Medicaid fraud unit are the state's matching share of the state Medicaid fraud control unit under IC 4-6-10 as prescribed by 42 U.S.C. 1396b(q). Augmentation allowed from collections.		
VICTIMS' ASSISTANCE ADDRESS CONFIDENTIALITY		
Total Operating Expense	13,059	13,059
UNCLAIMED PROPERTY		
Abandoned Property Fund (IC 32-34-1-33)		
Personal Services	972,055	972,055
Other Operating Expense	961,100	961,100
Augmentation allowed.		
D. FINANCIAL MANAGEMENT		
FOR THE AUDITOR OF STATE		
Personal Services	4,034,532	4,034,532
Other Operating Expense	1,318,420	1,318,420
GOVERNOR'S AND GOVERNOR'S SURVIVING SPOUSES' PENSIONS		
Total Operating Expense	146,900	146,900
The above appropriations for governors' and governors' surviving spouses' pensions are made under IC 4-3-3.		
FOR THE STATE BOARD OF ACCOUNTS		
Personal Services	16,919,115	16,919,115
Other Operating Expense	1,325,387	1,325,387
GOVERNOR ELECT		
Total Operating Expense	0	40,000
FOR THE STATE BUDGET COMMITTEE		
Total Operating Expense	60,000	60,000
Notwithstanding IC 4-12-1-11(b), the salary per diem of the legislative members of the budget committee is an amount equal to one hundred fifty percent (150%) of the legislative business per diem allowance. If the above appropriations are insufficient to carry out the necessary operations of the budget committee, there are hereby appropriated such further sums as may be necessary.		
FOR THE STATE BUDGET AGENCY		
Personal Services	2,367,509	2,367,509
Other Operating Expense	393,882	393,882
BUILD INDIANA FUND ADMINISTRATION		
Build Indiana Fund (IC 4-30-17)		
Other Operating Expense	66,014	66,014
Augmentation allowed.		
MIDWEST HIGHER EDUCATION COMMISSION		
Total Operating Expense	82,500	82,500
DEPARTMENTAL AND INSTITUTIONAL EMERGENCY CONTINGENCY FUND		
Total Operating Expense		9,600,000

The foregoing departmental and institutional emergency contingency fund appropriation is subject to allotment to departments, institutions, and all state agencies by the budget agency with the approval of the governor. These allocations may be made upon written request of proper officials, showing that contingencies exist that require additional funds for meeting necessary expenses. The budget committee shall be advised of each transfer request and allotment. With the approval of the governor and budget agency, the expenses of conducting an audit of a state agency for the following purposes may be paid from the departmental and institutional emergency contingency fund:

- (1) To determine whether the state agency is managing and using its resources (including personnel, property, and office space) economically and efficiently.
- (2) To determine whether there are any inefficiencies or uneconomical practices in the state agency's operations, and, if so, their causes.
- (3) To determine whether the state agency has complied with laws and rules concerning matters of economy and efficiency.

OUTSIDE BILLS CONTINGENCY - 2003

Total Operating Expense	17,200,000
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PERSONAL SERVICESFRINGE BENEFITS CONTINGENCY FUND

Total Operating Expense	89,000,000
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The foregoing personal services/fringe benefits contingency fund appropriation is subject to allotment to departments, institutions, and all state agencies by the budget agency with the approval of the governor.

The foregoing personal services/fringe benefits contingency fund appropriation may only be used for salary increases, fringe benefit increases, and for an employee leave conversion program for state employees in the 2003-2005 biennium and may not be used for any other purpose. The foregoing personal services/fringe benefits contingency fund appropriation does not revert at the end of the biennium but remains in the personal services/fringe benefit contingency fund.

SCHOOL AND LIBRARY INTERNET CONNECTION

Build Indiana Fund (IC 4-30-17)

Other Operating Expense	7,000,000
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Of the foregoing appropriations \$2,300,000 each year shall be for schools under IC 4-34-3-4 and \$1,200,000 each year shall be used for libraries under IC 4-34-3-2.

INSPIRE (IC 4-34-3-2)

Build Indiana Fund (IC 4-30-17)

Other Operating Expense	2,500,000
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21st CENTURY RESEARCH AND TECHNOLOGY FUND (IC 4-4-5.1-3)

Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)

Total Operating Expense	37,500,000	37,500,000
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FOR THE ADVISORY COMMISSION ON INTERGOVERNMENTAL AFFAIRS (IC 4-23-24.2-4)

Total Operating Expense	50,000	50,000
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FOR THE TREASURER OF STATE

Personal Services	810,652	810,652
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Other Operating Expense	60,500	60,500
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The treasurer of state, the board for depositories, the Indiana commission for higher education, and the state student assistance commission shall cooperate and provide to the Indiana education savings authority the following:

- (1) Clerical and professional staff and related support.
- (2) Office space and services.
- (3) Reasonable financial support for the development of rules, policies, programs,

and guidelines, including authority operations and travel.

E. TAX ADMINISTRATION

FOR THE DEPARTMENT OF REVENUE

COLLECTION AND ADMINISTRATION

Personal Services	38,667,713	38,667,713
Other Operating Expense	12,876,571	12,876,571

With the approval of the governor and the budget agency, the department shall annually reimburse the state general fund for expenses incurred in support of the collection of dedicated fund revenue according to the department's cost allocation plan.

With the approval of the governor and the budget agency, the foregoing sums for the department of state revenue may be augmented to an amount not exceeding in total, together with the above specific amounts, one and one-tenth percent (1.1%) of the amount of money collected by the department of state revenue from taxes and fees.

OUTSIDE COLLECTIONS

Total Operating Expense	2,923,440	2,923,440
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With the approval of the governor and the budget agency, the foregoing sums for the department of state revenue's outside collections may be augmented to an amount not exceeding in total, together with the above specific amounts, one and one-tenth percent (1.1%) of the amount of money collected by the department from taxes and fees.

MOTOR CARRIER REGULATION

Motor Carrier Regulation Fund (IC 8-2.1-23)

Personal Services	624,082	624,082
Other Operating Expense	3,160,143	3,160,143

Augmentation allowed from the Motor Carrier Regulation Fund.

MOTOR FUEL TAX DIVISION

Motor Vehicle Highway Account (IC 8-14-1)

Personal Services	6,020,546	6,020,546
Other Operating Expense	767,283	767,283

Augmentation allowed from the Motor Vehicle Highway Account.

In addition to the foregoing appropriations, there is hereby appropriated to the department of revenue motor fuel tax division an amount sufficient to pay claims for refunds on license-fee-exempt motor vehicle fuel as provided by law. The sums above appropriated from the motor vehicle highway account for the operation of the motor fuel tax division, together with all refunds for license-fee-exempt motor vehicle fuel, shall be paid from the receipts of those license fees before they are distributed as provided by IC 6-6-1.1.

FOR THE INDIANA GAMING COMMISSION

State Gaming Fund (IC 4-33-13-3)

Personal Services	2,111,179	2,111,179
Other Operating Expense	715,830	715,830

INVESTIGATION

State Gaming Fund (IC 4-33-13-3)

Personal Services	925,000	925,000
Other Operating Expense	458,030	458,030

The foregoing appropriations to the Indiana gaming commission are made from revenues accruing to the state gaming fund under IC 4-33-13-3 before any distribution is made under IC 4-33-13-5.

Augmentation allowed.

The foregoing appropriations to the Indiana gaming commission are made instead of

the appropriation made in IC 4-33-13-4.

The commission may employ or contract for inspectors and agents required under IC 4-33-4-3.5. The licensed owners shall, in the manner prescribed by the rules of the commission, reimburse the commission for the salaries and other expenses of the inspectors and agents who are required to be present during the time gambling operations are conducted on a riverboat.

FOR THE INDIANA HORSE RACING COMMISSION

Indiana Horse Racing Commission Operating Fund (IC 4-31-10)

Personal Services	1,781,448	1,781,448
Other Operating Expense	726,896	726,896

The foregoing appropriations to the Indiana horse racing commission are made from revenues accruing to the Indiana horse racing commission before any distribution is made under IC 4-31-9.

Augmentation allowed.

STANDARD BREED BOARD OF REGULATION

Indiana Horse Racing Commission Operating Fund (IC 4-31-10)

Total Operating Expense	193,500	193,500
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The foregoing appropriations to the standardbred board of regulation are made from revenues accruing to the Indiana horse racing commission before any distribution is made under IC 4-31-9.

Augmentation allowed.

FOR THE DEPARTMENT OF LOCAL GOVERNMENT FINANCE

Personal Services	3,783,049	3,783,049
Other Operating Expense	588,154	588,154

From the above appropriations for the department of local government finance, travel subsistence and mileage allowances may be paid for members of the local government tax control board created by IC 6-1.1-18.5-11 and the state school property tax control board created by IC 6-1.1-19-4.1, under state travel regulations.

FOR THE INDIANA BOARD OF TAX REVIEW

Personal Services	1,255,075	1,255,075
Other Operating Expense	120,033	120,033

Augmentation allowed from fee increases enacted in 2003 general assembly.

F. ADMINISTRATION

FOR THE DEPARTMENT OF ADMINISTRATION

Personal Services	11,750,289	11,750,289
Other Operating Expense	8,814,825	8,814,825

DIVISION OF INFORMATION TECHNOLOGY

Pay Phone Fund

Total Operating Expense	2,180,000	2,180,000
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Augmentation allowed.

The pay phone fund is established for the procurement of hardware, software, and related equipment and services needed to expand and enhance the state campus backbone and other central information technology initiatives. Such procurements may include, but are not limited to, wiring and rewiring of state offices, Internet services, video conferencing, telecommunications, application software and related services.

The fund consists of the net proceeds received from contracts with companies providing phone services at state institutions and other state properties. The fund shall be administered by the division of information technology (DOIT) of the department of administration. Money in the fund may be spent by the division in compliance with

a plan approved by the budget agency. Any money remaining in the fund at the end of any fiscal year does not revert to the general fund or any other fund but remains in the pay phone fund.

FOR THE STATE PERSONNEL DEPARTMENT

Personal Services	3,704,290	3,704,290
Other Operating Expense	520,100	520,100

STATE EMPLOYEES' APPEALS COMMISSION

Personal Services	142,482	142,482
Other Operating Expense	6,800	6,800

FOR THE INFORMATION TECHNOLOGY OVERSIGHT COMMISSION

Personal Services	553,778	553,778
Other Operating Expense	109,625	109,625

FOR THE COMMISSION ON PUBLIC RECORDS

Personal Services	1,273,099	1,273,099
Other Operating Expense	176,905	176,905

FOR THE OFFICE OF THE PUBLIC ACCESS COUNSELOR

Personal Services	139,524	139,524
Other Operating Expense	12,689	12,689

G. OTHER

FOR THE COMMISSION ON UNIFORM STATE LAWS

Total Operating Expense	45,400	45,400
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FOR THE STATE ETHICS COMMISSION

Personal Services	224,680	224,680
Other Operating Expense	30,869	30,869

FOR THE SECRETARY OF STATE

ELECTION DIVISION

Personal Services	538,951	538,951
Other Operating Expense	255,620	186,620

NATIONAL VOTER REGISTRATION PROGRAM

Personal Services	89,208	89,208
Other Operating Expense	227,400	32,400

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SECTION 4.

PUBLIC SAFETY

A. CORRECTION

FOR THE DEPARTMENT OF CORRECTION

CENTRAL OFFICE

Personal Services	8,832,661	8,832,661
Other Operating Expense	2,371,304	2,371,304

ESCAPEE COUNSEL AND TRIAL EXPENSE

Other Operating Expense	200,000	200,000
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COUNTY JAIL MISDEMEANANT HOUSING

Total Operating Expense	4,281,101	4,281,101
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ADULT CONTRACT BEDS

Total Operating Expense	10,339,126	10,339,126
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STAFF DEVELOPMENT AND TRAINING

Personal Services	960,160	960,160
Other Operating Expense	452,912	452,912

PAROLE DIVISION		
Personal Services	5,345,193	5,345,193
Other Operating Expense	787,873	787,873
PAROLE BOARD		
Personal Services	498,489	498,489
Other Operating Expense	38,850	38,850
INFORMATION MANAGEMENT SERVICES		
Personal Services	1,960,917	1,960,917
Other Operating Expense	1,942,040	1,942,040
JUVENILE TRANSITION		
Personal Services	879,168	879,168
Other Operating Expense	12,491,264	7,227,964
COMMUNITY CORRECTIONS PROGRAMS		
Total Operating Expense		50,650,000
The above appropriation for community corrections programs is not subject to transfer to any other fund or to transfer, assignment, or reassignment for any other use or purpose by the state board of finance notwithstanding IC 4-9.1-1-7 and IC 4-13-2-23 or by the budget agency notwithstanding IC 4-12-1-12, or any other law.		
DRUG PREVENTION AND OFFENDER TRANSITION		
Total Operating Expense	1,050,000	1,050,000
The above appropriation shall be used for minimum security release programs, transition programs, mentoring programs and supervision and assistance to adult and juvenile offenders to assure the successful integration of the offender into the community without incidents of recidivism.		
CENTRAL EMERGENCY RESPONSE		
Personal Services	1,062,944	1,062,944
Other Operating Expense	460,286	460,286
MEDICAL SERVICES		
Other Operating Expense	27,257,311	27,257,311
DRUG ABUSE PREVENTION		
Drug Abuse Fund (IC 11-8-2-11)		
Personal Services	36,762	36,762
Other Operating Expense	72,000	72,000
Augmentation allowed.		
FOR THE STATE BUDGET AGENCY		
COUNTY JAIL MAINTENANCE CONTINGENCY FUND		
Other Operating Expense	17,455,600	17,455,600
Disbursements from the fund shall be made for the purpose of reimbursing sheriffs for the cost of incarcerating in county jails persons convicted of felonies to the extent that such persons are incarcerated for more than five (5) days after the day of sentencing, at the rate of \$35 per day. In addition to the per diem, the state shall reimburse the sheriffs for any expenses incurred in providing medical care to the convicted persons. However, if the sheriff or county receives money with respect to a convicted person (from a source other than the county), the per diem or medical expense reimbursement with respect to the convicted person shall be reduced by the amount received. A sheriff shall not be required to comply with IC 35-38-3-4(a) or transport convicted persons within five (5) days after the day of sentencing if the department of correction does not have the capacity to receive the convicted person.		
Augmentation allowed.		

MEDICAL SERVICE PAYMENTS

Total Operating Expense	25,000,000	25,000,000
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These appropriations for medical service payments are made to pay for medical services for committed individuals, patients and students of institutions under the jurisdiction of the department of correction, the state department of health, the division of mental health, the school for the blind, the school for the deaf, or the division of disability, aging and rehabilitative services if the services are provided outside these institutions. These appropriations may not be used for payments for medical services that are covered by IC 12-16 unless these services have been approved under IC 12-16. These appropriations shall not be used for payment for medical services which are payable from an appropriation in this act for the state department of health, the division of mental health, the school for the blind, the school for the deaf, the division of disability, aging and rehabilitative services, or the department of correction, or that are reimbursable from funds for medical assistance under IC 12-15. If these appropriations to the budget agency are insufficient to make these medical service payments, there is hereby appropriated such further sums as may be necessary.

Direct disbursements from the above contingency fund are not subject to the provisions of IC 4-13-2.

FOR THE DEPARTMENT OF ADMINISTRATION

DEPARTMENT OF CORRECTION OMBUDSMAN BUREAU

Personal Services	100,000	100,000
Other Operating Expense	50,000	50,000

FOR THE DEPARTMENT OF CORRECTION

INDIANA STATE PRISON

Personal Services	26,516,485	26,516,485
Other Operating Expense	6,908,959	6,908,959

VOCATIONAL TRAINING PROGRAM

Total Operating Expense	368,977	368,977
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PENDLETON CORRECTIONAL FACILITY

Personal Services	25,497,504	25,497,504
Other Operating Expense	6,979,555	6,979,555

CORRECTIONAL INDUSTRIAL FACILITY

Personal Services	19,481,051	19,481,051
Other Operating Expense	3,318,158	3,318,158

INDIANA WOMEN'S PRISON

Personal Services	10,618,287	10,618,287
Other Operating Expense	1,877,182	1,877,182

PUTNAMVILLE CORRECTIONAL FACILITY

Personal Services	26,078,379	26,078,379
Other Operating Expense	5,450,472	5,450,472

WABASH VALLEY CORRECTIONAL FACILITY

Personal Services	33,429,851	33,429,851
Other Operating Expense	7,919,277	7,919,277

PLAINFIELD JUVENILE CORRECTIONAL FACILITY

Personal Services	12,568,959	12,568,959
Other Operating Expense	1,850,413	1,850,413

INDIANAPOLIS JUVENILE CORRECTIONAL FACILITY

Personal Services	8,750,541	14,703,305
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Other Operating Expense	2,185,998	1,727,923
BRANCHVILLE CORRECTIONAL FACILITY		
Personal Services	16,335,725	16,335,725
Other Operating Expense	2,974,213	2,974,213
WESTVILLE CORRECTIONAL FACILITY		
Personal Services	40,052,652	40,052,652
Other Operating Expense	8,486,632	8,486,632
WESTVILLE MAXIMUM CONTROL FACILITY		
Personal Services	5,210,507	5,210,507
Other Operating Expense	598,139	598,139
ROCKVILLE CORRECTIONAL FACILITY FOR WOMEN		
Personal Services	13,568,859	15,490,111
Other Operating Expense	2,669,163	2,669,163
PLAINFIELD CORRECTIONAL FACILITY		
Personal Services	23,243,871	23,243,871
Other Operating Expense	5,518,732	5,518,732
RECEPTION AND DIAGNOSTIC CENTER		
Personal Services	10,004,252	10,004,252
Other Operating Expense	1,189,697	1,189,697
MIAMI CORRECTIONAL FACILITY		
Personal Services	25,275,951	25,275,951
Other Operating Expense	4,261,736	4,261,736
The foregoing appropriations for the Miami Correctional Facility do not include money to increase bed capacity beyond what was in use on June 30, 2003.		
NEW CASTLE CORRECTIONAL FACILITY		
Personal Services	12,619,854	12,619,854
Other Operating Expense	2,677,840	2,677,840
The foregoing appropriations for the New Castle Correctional Facility do not include money to increase bed capacity beyond what was in use on June 30, 2003.		
SOCIAL SERVICES BLOCK GRANT		
General Fund		
Total Operating Expense	7,345,005	7,345,005
Title XX - Department of Correction Fund (IC 11-10-8-6.5)		
Total Operating Expense	1,905,450	1,905,450
Augmentation allowed from Work Release Subsistence Fund and Social Services Block Grant.		
HENRYVILLE CORRECTIONAL FACILITY		
Personal Services	1,841,762	1,841,762
Other Operating Expense	363,061	363,061
CHAIN O' LAKES CORRECTIONAL FACILITY		
Personal Services	1,452,400	1,452,400
Other Operating Expense	353,500	353,500
MEDARYVILLE CORRECTIONAL FACILITY		
Personal Services	1,651,486	1,651,486
Other Operating Expense	321,007	321,007
ATTERBURY CORRECTIONAL FACILITY		
Personal Services	1,869,441	1,869,441
Other Operating Expense	353,839	353,839
MADISON CORRECTIONAL FACILITY		

Personal Services	2,892,197	2,892,197
Other Operating Expense	472,663	472,663
EDINBURGH CORRECTIONAL FACILITY		
Personal Services	2,548,527	2,548,527
Other Operating Expense	367,264	367,264
LAKESIDE CORRECTIONAL FACILITY		
Personal Services	4,605,091	4,605,091
Other Operating Expense	739,800	739,800
FORT WAYNE JUVENILE CORRECTIONAL FACILITY		
Personal Services	1,315,048	1,315,048
Other Operating Expense	440,588	440,588
SOUTH BEND JUVENILE CORRECTIONAL FACILITY		
Personal Services	3,854,512	3,854,512
Other Operating Expense	2,703,437	2,703,437
LOGANSPOUT INTAKE/DIAGNOSTIC FACILITY		
Personal Services	2,555,804	2,555,804
Other Operating Expense	642,009	642,009
NORTH CENTRAL JUVENILE CORRECTIONAL FACILITY		
Personal Services	7,340,632	7,340,632
Other Operating Expense	1,329,548	1,329,548
CAMP SUMMIT		
Personal Services	2,125,444	2,125,444
Other Operating Expense	365,606	365,606
PENDLETON JUVENILE CORRECTIONAL FACILITY		
Personal Services	13,225,534	13,225,534
Other Operating Expense	2,555,224	2,555,224
B. LAW ENFORCEMENT		
FOR THE INDIANA STATE POLICE AND MOTOR CARRIER INSPECTION		
From the General Fund		
	54,724,078	54,724,078
From the Motor Vehicle Highway Account (IC 8-14-1)		
	54,724,078	54,724,078
From the Motor Carrier Regulation Fund (IC 8-2.1-23)		
	6,247,573	6,247,573
Augmentation allowed from the general fund and the motor vehicle highway account.		
The amounts specified from the General Fund, the Motor Vehicle Highway Account, and the		
Motor Carrier Regulation Fund are for the following purposes:		
Personal Services	101,006,406	101,006,406
Other Operating Expense	14,689,323	14,689,323
The above appropriations for personal services and other operating expense include		
funds to continue the state police minority recruiting program. In addition to any		
funds that may be expended for accident reporting from the "accident report account"		
under IC 9-29-11-1, there are included in the appropriations for Indiana state police		
and motor carrier inspection such additional funds as necessary for administering		
accident reporting as required under IC 9-26-3.		
The foregoing appropriations for the Indiana state police and motor carrier inspection		
include funds for the police security detail to be provided to the Indiana state		
fair board. However, any amount expended to provide security for the Indiana state		
fair board may be reimbursed by the Indiana state fair board to such fund from which		

the expenditure was made, in accordance with reimbursement schedules recommended by the budget committee.

Augmentation allowed.

ENFORCEMENT AID FUND

General Fund

Total Operating Expense	81,375	81,375
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Augmentation allowed.

Motor Vehicle Highway Account (IC 8-14-1)

Total Operating Expense	81,375	81,375
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Augmentation allowed.

The above appropriations to the enforcement aid fund are to meet unforeseen emergencies of a confidential nature. They are to be expended under the direction of the superintendent and to be accounted for solely on the superintendent's certificate.

PENSION FUND

General Fund

Total Operating Expense	3,771,806	3,771,806
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Motor Vehicle Highway Account (IC 8-14-1)

Total Operating Expense	3,771,806	3,771,806
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The above appropriations shall be paid into the state police pension fund provided for in IC 10-12-2 in twelve (12) equal installments on or before July 30 and on or before the 30th of each succeeding month thereafter.

BENEFIT FUND

General Fund

Total Operating Expense	1,472,717	1,472,717
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Augmentation allowed.

Motor Vehicle Highway Account (IC 8-14-1)

Total Operating Expense	1,472,717	1,472,717
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Augmentation allowed.

All benefits that accrue to members shall be paid by warrant drawn on the treasurer of state by the auditor of state on the basis of claims filed and approved by the trustees of the state police pension and benefit funds created by IC 10-12-2.

SUPPLEMENTAL PENSION

General Fund

Total Operating Expense	1,650,000	1,650,000
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Augmentation allowed.

Motor Vehicle Highway Account (IC 8-14-1)

Total Operating Expense	1,650,000	1,650,000
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Augmentation allowed.

If the above appropriations for supplemental pension for any one (1) year are greater than the amount actually required under the provisions of IC 10-12-5, then the excess shall be returned proportionately to the funds from which the appropriations were made. If the amount actually required under IC 10-12-5 is greater than the above appropriations, then, with the approval of the governor and the budget agency, those sums may be augmented from the general fund and the motor vehicle highway account.

ACCIDENT REPORTING

Accident Report Account (IC 9-29-11-1)

Other Operating Expense	93,000	93,000
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Augmentation allowed.

DRUG INTERDICTION

Drug Interdiction Fund (IC 10-11-7)		
Total Operating Expense	279,000	279,000
Augmentation allowed.		
FOR THE ADJUTANT GENERAL		
Personal Services	7,295,411	7,295,411
Other Operating Expense	3,212,394	3,212,394
NAVAL FORCES		
Personal Services	152,029	152,029
Other Operating Expense	62,763	62,763
DISABLED SOLDIERS' PENSION		
Other Operating Expense	16,167	16,740
GOVERNOR'S CIVIL AND MILITARY CONTINGENCY FUND		
Total Operating Expense		720,000

The above appropriations for the adjutant general governor's civil and military contingency fund are made under IC 10-16-11-1.

FOR THE CRIMINAL JUSTICE INSTITUTE

ADMINISTRATIVE MATCH		
Total Operating Expense	449,455	449,455
DRUG ENFORCEMENT MATCH		
Total Operating Expense	660,609	660,609
VICTIM AND WITNESS ASSISTANCE FUND		
Victim and Witness Assistance Fund (IC 5-2-6-14)		
Total Operating Expense	603,196	603,196
Augmentation allowed.		
ALCOHOL AND DRUG COUNTERMEASURES		
Alcohol and Drug Countermeasures Fund (IC 9-27-2-11)		
Total Operating Expense	527,100	527,100
Augmentation allowed.		
STATE DRUG FREE COMMUNITIES FUND		
State Drug Free Communities Fund (IC 5-2-10-2)		
Total Operating Expense	511,325	511,325
Augmentation allowed.		
INDIANA SAFE SCHOOLS		
General Fund		
Total Operating Expense	3,749,500	3,749,500
Indiana Safe Schools Fund (IC 5-2-10.1-2)		
Total Operating Expense	400,500	400,500
Augmentation allowed from Indiana Safe Schools Fund.		

Of the above appropriations for the Indiana safe schools program, \$3,400,000 is appropriated annually to provide grants to school corporations for school safe haven programs, emergency preparedness programs, and school safety programs, and \$750,000 is appropriated annually for use in providing training to school safety specialists.

OFFICE OF TRAFFIC SAFETY

Motor Vehicle Highway Account (IC 8-14-1)		
Personal Services	2,857,791	2,857,791
Other Operating Expense	8,323,460	8,323,460
Augmentation allowed.		

The above appropriation for the office of traffic safety is from the motor vehicle highway account and may be used to fund traffic safety projects that are included

in a current highway safety plan approved by the governor and the budget agency. The department shall apply to the national highway traffic safety administration for reimbursement of all eligible project costs. Any federal reimbursement received by the department for the highway safety plan shall be deposited into the motor vehicle highway account.

PROJECT IMPACT

Total Operating Expense	200,000	200,000
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VICTIMS OF VIOLENT CRIME ADMINISTRATION

Violent Crime Victims Compensation Fund (IC 5-2-6.1-40)

Personal Services	98,365	98,365
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Other Operating Expense	2,361,673	2,361,673
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Augmentation allowed.

FOR THE CORONERS' TRAINING BOARD

Coroners' Training and Continuing Education Fund (IC 4-23-6.5-8)

Personal Services	200,168	200,168
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Other Operating Expense	325,780	325,780
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Augmentation allowed.

FOR THE INDIANA DEPARTMENT OF GAMING RESEARCH

Total Operating Expense	300,000	300,000
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FOR THE LAW ENFORCEMENT TRAINING ACADEMY

From the General Fund

1,595,111	1,595,111
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From the Law Enforcement Academy Training (IC 5-2-1-13)

2,691,261	2,691,261
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Augmentation allowed from Law Enforcement Academy Training.

The amounts specified from the General Fund and the Law Enforcement Academy Training Fund are for the following purposes:

Personal Services	2,881,221	2,881,221
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Other Operating Expense	1,405,151	1,405,151
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C. REGULATORY AND LICENSING

FOR THE BUREAU OF MOTOR VEHICLES

Motor Vehicle Highway Account (IC 8-14-1)

Personal Services	17,497,609	17,497,609
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Other Operating Expense	20,458,559	20,458,559
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Augmentation allowed.

LICENSE PLATES

Motor Vehicle Highway Account (IC 8-14-1)

Total Operating Expense	5,500,000	5,500,000
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Augmentation allowed.

DEALER INVESTIGATOR EXPENSES

Motor Vehicle Odometer Fund (IC 9-29-1-5)

Total Operating Expense	268,600	268,600
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Augmentation allowed.

FINANCIAL RESPONSIBILITY COMPLIANCE VERIFICATION

Financial Responsibility Compliance Verification Fund (IC 9-25-9-7)

Total Operating Expense	9,047,369	9,047,369
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Augmentation allowed.

ABANDONED VEHICLES

Abandoned Vehicle Fund (IC 9-22-1-28)

Total Operating Expense	37,000	37,000
Augmentation allowed.		
STATE MOTOR VEHICLE TECHNOLOGY		
State Motor Vehicle Technology Fund (IC 9-29-16)		
Total Operating Expense	5,203,029	5,203,029
Augmentation allowed.		
FOR THE DEPARTMENT OF LABOR		
Personal Services	962,734	962,734
Other Operating Expense	90,400	90,400
INDUSTRIAL HYGIENE		
Personal Services	1,214,231	1,214,231
Other Operating Expense	131,400	131,400
BUREAU OF MINES AND MINING		
Personal Services	116,646	116,646
Other Operating Expense	19,500	19,500
M.I.S. RESEARCH AND STATISTICS		
Personal Services	231,950	231,950
Other Operating Expense	19,450	19,450
The above funds are appropriated to occupational safety and health, industrial hygiene, and to management information services research and statistics to provide the total program cost of the Indiana occupational safety and health plan as approved by the United States Department of Labor. Inasmuch as the state is eligible to receive from the federal government fifty percent (50%) of the state's total Indiana occupational safety and health plan program cost, it is the intention of the general assembly that the department of labor make application to the federal government for the federal share of the total program cost. Federal funds received shall be considered a reimbursement of state expenditures and as such shall be deposited into the state general fund.		
OCCUPATIONAL SAFETY AND HEALTH		
Personal Services	2,243,377	2,243,377
Other Operating Expense	247,296	247,296
EMPLOYMENT OF YOUTH		
Special Fund for Employment of Youth (IC 20-8.1-4-31)		
Total Operating Expense	74,400	74,400
Augmentation allowed.		
BUREAU OF SAFETY EDUCATION AND TRAINING		
Special Fund for Safety and Health Consultation Services (IC 22-8-1.1-48)		
Personal Services	809,908	809,908
Other Operating Expense	211,500	211,500
Augmentation allowed.		
Federal cost reimbursements for expenses attributable to the Bureau of Safety Education and Training appropriations shall be deposited into the special fund for safety and health consultation services.		
FOR THE INSURANCE DEPARTMENT		
From the General Fund		
	3,378,116	3,378,116
From the Department of Insurance Fund (IC 27-1-3-28)		
	2,400,484	2,400,484
Augmentation allowed from the Department of Insurance Fund.		
The amounts specified from the General Fund and the Department of Insurance Fund		

are for the following purposes:

Personal Services	4,622,885	4,622,885
Other Operating Expense	1,155,715	1,155,715

BAIL BOND DIVISION

Bail Bond Enforcement and Administration Fund (IC 27-10-5-1)

Personal Services	106,634	106,634
Other Operating Expense	25,425	25,425

Augmentation allowed.

PATIENTS' COMPENSATION AUTHORITY

Patients' Compensation Fund (IC 34-18-6-1)

Personal Services	817,882	817,882
Other Operating Expense	84,012	84,012

Augmentation allowed.

POLITICAL SUBDIVISION RISK MANAGEMENT

Political Subdivision Risk Management Fund (IC 27-1-29-10)

Personal Services	224,030	224,030
Other Operating Expense	858,611	858,611

Augmentation allowed.

MINE SUBSIDENCE INSURANCE

Mine Subsidence Insurance Fund (IC 27-7-9-7)

Personal Services	136,980	136,980
Other Operating Expense	211,353	211,353

Augmentation allowed.

FOR THE ALCOHOL AND TOBACCO COMMISSION

From the Enforcement and Administration Fund (IC 7.1-4-10-1)

Personal Services	4,725,529	4,720,236
Other Operating Expense	994,935	1,000,635

Augmentation allowed.

EXCISE OFFICER TRAINING FUND (IC 5-2-8-8)

Total Operating Expense	7,000	7,000
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Augmentation allowed from the Excise Officer Training Fund.

FOR THE DEPARTMENT OF FINANCIAL INSTITUTIONS

Financial Institutions Fund (IC 28-11-2-9)

Personal Services	5,301,521	5,301,521
Other Operating Expense	1,201,155	1,261,155

Augmentation allowed.

FOR THE PROFESSIONAL LICENSING AGENCY

Personal Services	1,863,216	1,863,216
Other Operating Expense	638,365	638,365

Augmentation allowed in amounts not to exceed additional revenue from fee increases enacted after January 1, 2001.

EMBALMERS AND FUNERAL DIRECTORS EDUCATION FUND (IC 25-15-9-13)

Total Operating Expense	5,000	5,000
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Augmentation allowed.

FOR THE HEALTH PROFESSIONS BUREAU

Personal Services	2,394,538	2,394,538
Other Operating Expense	855,092	855,092

Augmentation allowed in amounts not to exceed additional revenue from fee increases, penalties, or fines enacted or imposed after January 1, 2001.

FOR THE DEPARTMENT OF FIRE AND BUILDING SERVICES

Fire and Building Services Fund (IC 22-12-6-1)

Personal Services	7,899,059	7,899,059
Other Operating Expense	1,697,527	1,697,527

Augmentation allowed.

FOR THE PUBLIC SAFETY TRAINING INSTITUTE

Fire and Building Services Fund (IC 22-12-6-1)

Personal Services	910,510	910,510
Other Operating Expense	465,195	465,195

Augmentation allowed.

FOR THE CIVIL RIGHTS COMMISSION

Personal Services	2,093,676	2,093,676
Other Operating Expense	225,482	225,482

It is the intention of the general assembly that the civil rights commission shall apply to the federal government for funding based upon the processing of employment and housing discrimination complaints by the civil rights commission. Such federal funds received by the state shall be considered as a reimbursement of state expenditures and shall be deposited into the state general fund.

FOR THE UTILITY CONSUMER COUNSELOR

Public Utility Fund (IC 8-1-6-1)

Personal Services	3,480,922	3,478,335
Other Operating Expense	518,079	518,079

Augmentation allowed.

EXPERT WITNESS FEES AND AUDIT

Public Utility Fund (IC 8-1-6-1)

Total Operating Expense		1,550,000
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Augmentation allowed.

FOR THE UTILITY REGULATORY COMMISSION

Public Utility Fund (IC 8-1-6-1)

Personal Services	4,889,510	4,889,510
Other Operating Expense	1,827,094	1,827,094

Augmentation allowed.

FOR THE WORKERS' COMPENSATION BOARD

Personal Services	1,695,469	1,695,469
Other Operating Expense	128,141	128,141

FOR THE STATE BOARD OF ANIMAL HEALTH

Personal Services	3,388,942	3,388,942
Other Operating Expense	684,468	684,468

INDEMNITY FUND

Total Operating Expense		49,430
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Augmentation allowed.

MEAT & POULTRY INSPECTION

Total Operating Expense	1,690,926	1,690,926
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FOR THE EMERGENCY MANAGEMENT AGENCY

Personal Services	1,348,773	1,348,773
Other Operating Expense	321,521	321,521

EMERGENCY MANAGEMENT AGENCY CONTINGENCY FUND

Total Operating Expense	250,000	250,000
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DIRECTION CONTROL AND WARNING

Total Operating Expense	31,750	31,750
HAZARD MITIGATION ASSISTANCE PROGRAM		
Total Operating Expense	1	1
Augmentation allowed.		
INDIVIDUAL AND FAMILY ASSISTANCE		
Total Operating Expense	1	1
Augmentation allowed.		
PUBLIC ASSISTANCE		
Total Operating Expense	1	1
Augmentation allowed.		

The above appropriations for the emergency management agency represent the total program cost for civil defense and for emergency medical services for each fiscal year. It is the intent of the general assembly that the emergency management agency apply to the Federal Emergency Management Agency for all federal reimbursement funds for which Indiana is eligible. All funds received shall be deposited into the state general fund.

The above appropriations for the emergency management agency contingency fund are made to the contingency fund under IC 10-14-3-28. The above appropriations shall be in addition to any unexpended balances in the fund as of June 30, 2003.

2003-224-5

SECTION 5.

CONSERVATION AND ENVIRONMENT

A. NATURAL RESOURCES

FOR THE DEPARTMENT OF NATURAL RESOURCES - ADMINISTRATION

Personal Services	4,456,981	4,456,981	
Other Operating Expense	834,145	834,145	
LEGISLATORS' TREES			
Total Operating Expense			1
ENTOMOLOGY AND PLANT PATHOLOGY DIVISION			
Personal Services	675,182	675,182	
Other Operating Expense	182,947	182,947	
ENTOMOLOGY AND PLANT PATHOLOGY FUND (IC 14-24-10-3)			
Total Operating Expense			5,760
Augmentation allowed.			
ENGINEERING DIVISION			
Personal Services	1,611,070	1,611,070	
Other Operating Expense	71,351	71,351	
STATE MUSEUM			
Personal Services	4,453,135	4,453,135	
Other Operating Expense	2,981,338	2,981,338	
HISTORIC PRESERVATION DIVISION			
Personal Services	883,344	883,344	
Other Operating Expense	41,125	41,125	
STATE HISTORIC SITES			
Personal Services	2,042,542	2,042,542	
Other Operating Expense	425,515	425,515	

From the above appropriations, \$75,000 in each state fiscal year shall be used for the Grissom Museum.

OUTDOOR RECREATION DIVISION

Personal Services	706,124	706,124
Other Operating Expense	52,400	52,400

NATURE PRESERVES DIVISION

Personal Services	786,478	786,478
Other Operating Expense	52,064	52,064

DEPARTMENT OF NATURAL RESOURCES FINANCIAL MANAGEMENT

Personal Services	118,256	118,256
Other Operating Expense	48,168	48,168

WATER DIVISION

Personal Services	4,601,271	4,601,271
Other Operating Expense	677,484	677,484

All revenues accruing from state and local units of government and from private utilities and industrial concerns as a result of water resources study projects, and as a result of topographic and other mapping projects, shall be deposited into the state general fund, and such receipts are hereby appropriated, in addition to the foregoing amounts, for water resources studies.

GREAT LAKES COMMISSION

Other Operating Expense	61,000	61,000
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DEER RESEARCH AND MANAGEMENT

Deer Research and Management Fund (IC 14-22-5-2)

Total Operating Expense	174,000	174,000
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Augmentation allowed.

OIL AND GAS DIVISION

From the General Fund

592,283 592,283

From the Oil and Gas Fund (IC 6-8-1-27)

614,189 614,189

Augmentation allowed from Oil and Gas Fund.

The amounts specified from the General Fund and the Oil and Gas Fund are for the following purposes:

Personal Services	919,422	919,422
Other Operating Expense	287,050	287,050

STATE PARKS DIVISION

From the General Fund

3,845,734 3,845,734

From the State Parks Special Revenue Fund (IC 14-19-4-2)

14,422,934 14,422,934

Augmentation allowed from State Parks Special Revenue Fund.

The amounts specified from the General Fund and the State Parks Special Revenue Fund are for the following purposes:

Personal Services	13,860,926	13,860,926
Other Operating Expense	4,407,742	4,407,742

SNOWMOBILE/OFFROAD VEHICLE LICENSING FUND

Snowmobile/Offroad Licensing Fund (IC 14-16-2-8)

Total Operating Expense	139,908	139,908
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Augmentation allowed.

LAW ENFORCEMENT DIVISION

From the General Fund

	9,259,433	9,351,852
From the Fish and Wildlife Fund (IC 14-22-3-2)		
	10,765,810	10,889,931

Augmentation allowed from the Fish and Wildlife Fund.

The amounts specified from the General Fund and the Fish and Wildlife Fund are for the following purposes:

Personal Services	16,433,728	16,420,482
Other Operating Expense	3,591,515	3,821,301
FISH AND WILDLIFE DIVISION		
Fish and Wildlife Fund (IC 14-22-3-2)		
Personal Services	11,696,166	11,696,166
Other Operating Expense	4,056,937	4,056,937

Augmentation allowed.

FORESTRY DIVISION

From the General Fund

	482,925	482,925
From the Division of Forestry Fund (IC 14-23-3-2)		
	8,890,840	8,890,840

Augmentation allowed from the Division of Forestry Fund.

The amounts specified from the General Fund and the Division of Forestry Fund are for the following purposes:

Personal Services	7,757,173	7,757,173
Other Operating Expense	1,616,592	1,616,592

All money expended by the division of forestry of the department of natural resources for the detention and suppression of forest, grassland, and wasteland fires shall be through the enforcement division of the department, and the employment with such money of all personnel, with the exception of emergency labor, shall be in accordance with IC 14-9-8.

RESERVOIR MANAGEMENT DIVISION

From the General Fund

	2,208,808	2,208,808
From the Reservoir Special Revenue Fund (IC 14-19-5-2)		
	6,121,343	6,121,343

Augmentation allowed from the Reservoir Special Revenue Fund.

The amounts specified from the General Fund and the Reservoir Special Revenue Fund are for the following purposes:

Personal Services	6,583,687	6,583,687
Other Operating Expense	1,746,464	1,746,464

RECLAMATION DIVISION

From the General Fund

	34,992	34,992
From the Natural Resources Reclamation Fund (IC 14-34-14-2)		
	4,930,523	4,930,523

Augmentation allowed from the Natural Resources Reclamation Fund.

The amounts specified from the General Fund and the Natural Resources Reclamation Fund are for the following purposes:

Personal Services	4,284,896	4,284,896
Other Operating Expense	680,619	680,619

In addition to any of the foregoing appropriations for the department of natural

resources, any federal funds received by the state of Indiana for support of approved outdoor recreation projects for planning, acquisition, and development under the provisions of the federal Land and Water Conservation Fund Act, P.L.88-578, are appropriated for the uses and purposes for which the funds were paid to the state, and shall be distributed by the department of natural resources to state agencies and other governmental units in accordance with the provisions under which the funds were received.

SOIL CONSERVATION DIVISION - T BY 2000

Cigarette Tax Fund (IC 6-7-1-29.1)

Personal Services	3,652,092	3,652,092
Other Operating Expense	2,043,828	2,043,828

Augmentation allowed.

LAKE AND RIVER ENHANCEMENT

Lake and River Enhancement Fund (IC 6-6-11-12.5)

Total Operating Expense		2,200,000
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Augmentation allowed.

B. OTHER NATURAL RESOURCES

FOR THE WORLD WAR MEMORIAL COMMISSION

Personal Services	677,754	677,754
Other Operating Expense	174,327	174,327

All revenues received as rent for space in the buildings located at 777 North Meridian Street and 700 North Pennsylvania Street, in the city of Indianapolis, that exceed the costs of operation and maintenance of the space rented, shall be paid into the general fund. The American Legion shall provide for the complete maintenance of the interior of these buildings.

FOR THE WHITE RIVER PARK COMMISSION

Total Operating Expense	1,336,699	1,336,699
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FOR THE ST. JOSEPH RIVER BASIN COMMISSION

Total Operating Expense	70,029	70,029
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FOR THE WABASH RIVER HERITAGE CORRIDOR

Total Operating Expense	100,000	100,000
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FOR THE MAUMEE RIVER BASIN COMMISSION

Total Operating Expense	75,000	75,000
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C. ENVIRONMENTAL MANAGEMENT

FOR THE DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

ADMINISTRATION

From the General Fund

4,350,539	4,350,539
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From the State Solid Waste Management Fund (IC 13-20-22-2)

197,971	197,971
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From the Title V Operating Permit Trust Fund (IC 13-17-8-1)

700,306	700,306
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From the Environmental Management Permit Operation Fund (IC 13-15-11-1)

951,633	951,633
---------	---------

From the Environmental Management Special Fund (IC 13-14-12-1)

140,553	140,553
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From the Hazardous Substances Response Trust Fund (IC 13-25-4-1)

351,937	351,937
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From the Asbestos Trust Fund (IC 13-17-6-3)

48,579	48,579
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From the Underground Petroleum Storage Tank Trust Fund (IC 13-23-6-1)

73,591	73,591
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From the Underground Petroleum Storage Tank Excess Liability Trust Fund (IC 13-23-7-1)

1,396,584	1,396,584
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Augmentation allowed from the State Solid Waste Management Fund, Title V Operating Permit Trust Fund, Environmental Management Permit Operation Fund, Environmental Management Special Fund, Hazardous Substances Response Trust Fund, Asbestos Trust Fund, Underground Petroleum Storage Tank Trust Fund, and the Underground Petroleum Storage Tank Excess Liability Fund.

The amounts specified from the General Fund, the State Solid Waste Management Fund, the Title V Operating Permit Trust Fund, the Environmental Management Permit Operation Fund, Environmental Management Special Fund, the Hazardous Substances Response Trust Fund, the Asbestos Trust Fund, the Underground Petroleum Storage Tank Trust Fund, and the Underground Petroleum Storage Tank Excess Liability Fund are for the following purposes:

Personal Services	5,652,772	5,652,772
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Other Operating Expense	2,558,921	2,558,921
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LABORATORY CONTRACTS

General Fund

830,670	830,670
---------	---------

Environmental Management Special Fund (IC 13-14-12-1)

445,211	445,211
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Hazardous Substances Response Trust Fund (IC 13-25-4-1)

1,317,996	1,317,996
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Augmentation allowed from the Environmental Management Special Fund and the Hazardous Substances Response Trust Fund.

The amounts specified from the General Fund, Environmental Management Special Fund, and the Hazardous Substance Response Trust Fund are for the following purpose:

Total Operating Expense	2,593,877	2,593,877
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NORTHWEST REGIONAL OFFICE

From the General Fund

479,911	479,911
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From the State Solid Waste Management Fund (IC 13-20-22-2)

3,471	3,471
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From the Title V Operating Permit Trust Fund (IC 13-17-8-1)

416,713	416,713
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From the Environmental Management Permit Operation Fund (IC 13-15-11-1)

167,931	167,931
---------	---------

From the Environmental Management Special Fund (IC 13-14-12-1)

36,840	36,840
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From the Hazardous Substances Response Trust Fund (IC 13-25-4-1)

9,369	9,369
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From the Asbestos Trust Fund (IC 13-17-6-3)

54,257	54,257
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From the Underground Petroleum Storage Tank Trust Fund (IC 13-23-6-1)

7,498	7,498
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From the Underground Petroleum Storage Tank Excess Liability Trust Fund (IC 13-23-7-1)

22,450	22,450
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Augmentation allowed from the State Solid Waste Management Fund, Title V Operating

Trust Fund, Environmental Management Permit Operation Fund, Environmental Management Special Fund, Hazardous Substances Response Trust Fund, Asbestos Trust Fund, Underground Petroleum Storage Tank Trust Fund, and the Underground Petroleum Storage Tank Excess Liability Trust Fund.

The amounts specified from the General Fund, State Solid Waste Management Fund, Title V Operating Trust Fund, Environmental Management Permit Operation Fund, Environmental Management Special Fund, Hazardous Substances Response Trust Fund, Asbestos Trust Fund, Underground Petroleum Storage Tank Trust Fund, and the Underground Petroleum Storage Tank Excess Liability Trust Fund are for the following purposes:

Personal Services	1,060,531	1,060,531
Other Operating Expense	137,909	137,909

NORTHERN REGIONAL OFFICE

From the General Fund

332,772	332,772
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From the State Solid Waste Management Fund (IC 13-20-22-2)

60,474	60,474
--------	--------

From the Title V Operating Permit Trust Fund (IC 13-17-8-1)

321,340	321,340
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From the Environmental Management Permit Operation Fund (IC 13-15-11-1)

164,656	164,656
---------	---------

From the Environmental Management Special Fund (IC 13-14-12-1)

10,054	10,054
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From the Hazardous Substances Response Trust Fund (IC 13-25-4-1)

18,622	18,622
--------	--------

From the Asbestos Trust Fund (IC 13-17-6-3)

2,095	2,095
-------	-------

From the Underground Petroleum Storage Tank Trust Fund (IC 13-23-6-1)

1,929	1,929
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From the Underground Petroleum Storage Tank Excess Liability Trust Fund (IC 13-23-7-1)

44,361	44,361
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Augmentation allowed from the State Solid Waste Management Fund, Title V Operating Trust Fund, Environmental Management Permit Operation Fund, Environmental Management Special Fund, Hazardous Substances Response Trust Fund, Asbestos Trust Fund, Underground Petroleum Storage Tank Trust Fund, and the Underground Petroleum Storage Tank Excess Liability Trust Fund.

The amounts specified from the General Fund, State Solid Waste Management Fund, Title V Operating Trust Fund, Environmental Management Permit Operation Fund, Environmental Management Special Fund, Hazardous Substances Response Trust Fund, Asbestos Trust Fund, Underground Petroleum Storage Tank Trust Fund, and the Underground Petroleum Storage Tank Excess Liability Trust Fund are for the following purposes:

Personal Services	781,844	781,844
Other Operating Expense	174,459	174,459

SOUTHWEST REGIONAL OFFICE

From the General Fund

348,205	348,205
---------	---------

From the State Solid Waste Management Fund (IC 13-20-22-2)

102,876	102,876
---------	---------

From the Title V Operating Permit Trust Fund (IC 13-17-8-1)

138,058	138,058
---------	---------

From the Environmental Management Permit Operation Fund (IC 13-15-11-1)	173,892	173,892
From the Environmental Management Special Fund (IC 13-14-12-1)	33,991	33,991
From the Hazardous Substances Response Trust Fund (IC 13-25-4-1)	18,731	18,731
From the Asbestos Trust Fund (IC 13-17-6-3)	5,439	5,439
From the Underground Petroleum Storage Tank Trust Fund (IC 13-23-6-1)	2,297	2,297
From the Underground Petroleum Storage Tank Excess Liability Trust Fund (IC 13-23-7-1)	44,759	44,759

Augmentation allowed from the State Solid Waste Management Fund, Title V Operating Trust Fund, Environmental Management Permit Operation Fund, Environmental Management Special Fund, Hazardous Substances Response Trust Fund, Asbestos Trust Fund, Underground Petroleum Storage Tank Trust Fund, and the Underground Petroleum Storage Tank Excess Liability Trust Fund.

The amounts specified from the General Fund, State Solid Waste Management Fund, Title V Operating Trust Fund, Environmental Management Permit Operation Fund, Environmental Management Special Fund, Hazardous Substances Response Trust Fund, Asbestos Trust Fund, Underground Petroleum Storage Tank Trust Fund, and the Underground Petroleum Storage Tank Excess Liability Trust Fund are for the following purposes:

Personal Services	682,287	682,287
Other Operating Expense	185,961	185,961

LEGAL AFFAIRS

From the General Fund	780,753	780,753
From the State Solid Waste Management Fund (IC 13-20-22-2)	3,078	3,078
From the Title V Operating Permit Trust Fund (IC 13-17-8-1)	381,854	381,854
From the Environmental Management Permit Operation Fund (IC 13-15-11-1)	450,629	450,629
From the Environmental Management Special Fund (IC 13-14-12-1)	27,476	27,476
From the Hazardous Substances Response Trust Fund (IC 13-25-4-1)	16,159	16,159
From the Asbestos Trust Fund (IC 13-17-6-3)	59,392	59,392
From the Underground Petroleum Storage Tank Trust Fund (IC 13-23-6-1)	12,664	12,664
From the Underground Petroleum Storage Tank Excess Liability Trust Fund (IC 13-23-7-1)	10,249	10,249

Augmentation allowed from the State Solid Waste Management Fund, Title V Operating Trust Fund, Environmental Management Permit Operation Fund, Environmental Management Special Fund, Hazardous Substances Response Trust Fund, Asbestos Trust Fund, Underground Petroleum Storage Tank Trust Fund, and the Underground Petroleum Storage Tank Excess Liability Trust Fund.

The amounts specified from the General Fund, State Solid Waste Management Fund, Title

V Operating Trust Fund, Environmental Management Permit Operation Fund, Environmental Management Special Fund, Hazardous Substances Response Trust Fund, Asbestos Trust Fund, Underground Petroleum Storage Tank Trust Fund, and the Underground Petroleum Storage Tank Excess Liability Trust Fund are for the following purposes:

Personal Services	1,585,645	1,585,645
Other Operating Expense	156,609	156,609

ENFORCEMENT

From the General Fund

1,012,614	1,012,614
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From the State Solid Waste Management Fund (IC 13-20-22-2)

3,541	3,541
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From the Title V Operating Permit Trust Fund (IC 13-17-8-1)

336,995	336,995
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From the Environmental Management Permit Operation Fund (IC 13-15-11-1)

416,176	416,176
---------	---------

From the Environmental Management Special Fund (IC 13-14-12-1)

31,435	31,435
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From the Hazardous Substances Response Trust Fund (IC 13-25-4-1)

18,657	18,657
--------	--------

From the Asbestos Trust Fund (IC 13-17-6-3)

67,946	67,946
--------	--------

From the Underground Petroleum Storage Tank Trust Fund (IC 13-23-6-1)

14,489	14,489
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From the Underground Petroleum Storage Tank Excess Liability Trust Fund (IC 13-23-7-1)

11,729	11,729
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Augmentation allowed from the State Solid Waste Management Fund, Title V Operating Trust Fund, Environmental Management Permit Operation Fund, Environmental Management Special Fund, Hazardous Substances Response Trust Fund, Asbestos Trust Fund, Underground Petroleum Storage Tank Trust Fund, and the Underground Petroleum Storage Tank Excess Liability Trust Fund.

The amounts specified from the General Fund, State Solid Waste Management Fund, Title V Operating Trust Fund, Environmental Management Permit Operation Fund, Environmental Management Special Fund, Hazardous Substances Response Trust Fund, Asbestos Trust Fund, Underground Petroleum Storage Tank Trust Fund, and the Underground Petroleum Storage Tank Excess Liability Trust Fund are for the following purposes:

Personal Services	1,825,380	1,825,380
Other Operating Expense	88,202	88,202

INVESTIGATIONS

From the General Fund

216,829	216,829
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From the State Solid Waste Management Fund (IC 13-20-22-2)

1,168	1,168
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From the Title V Operating Permit Trust Fund (IC 13-17-8-1)

110,936	110,936
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From the Environmental Management Permit Operation Fund (IC 13-15-11-1)

137,006	137,006
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From the Environmental Management Special Fund (IC 13-14-12-1)

10,346	10,346
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From the Hazardous Substances Response Trust Fund (IC 13-25-4-1)

	6,141	6,141
From the Asbestos Trust Fund (IC 13-17-6-3)		
	22,367	22,367
From the Underground Petroleum Storage Tank Trust Fund (IC 13-23-6-1)		
	4,771	4,771
From the Underground Petroleum Storage Tank Excess Liability Trust Fund (IC 13-23-7-1)		
	3,863	3,863

Augmentation allowed from the State Solid Waste Management Fund, Title V Operating Trust Fund, Environmental Management Permit Operation Fund, Environmental Management Special Fund, Hazardous Substances Response Trust Fund, Asbestos Trust Fund, Underground Petroleum Storage Tank Trust Fund, and the Underground Petroleum Storage Tank Excess Liability Trust Fund.

The amounts specified from the General Fund, State Solid Waste Management Fund, Title V Operating Trust Fund, Environmental Management Permit Operation Fund, Environmental Management Special Fund, Hazardous Substances Response Trust Fund, Asbestos Trust Fund, Underground Petroleum Storage Tank Trust Fund, and the Underground Petroleum Storage Tank Excess Liability Trust Fund are for the following purposes:

Personal Services	326,041	326,041
Other Operating Expense	187,386	187,386

PLANNING AND ASSESSMENT

From the General Fund

	492,280	492,280
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From the State Solid Waste Management Fund (IC 13-20-22-2)

	20,840	20,840
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From the Title V Operating Permit Trust Fund (IC 13-17-8-1)

	64,913	64,913
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From the Environmental Management Permit Operation Fund (IC 13-15-11-1)

	80,865	80,865
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From the Environmental Management Special Fund (IC 13-14-12-1)

	13,212	13,212
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From the Hazardous Substances Response Trust Fund (IC 13-25-4-1)

	34,756	34,756
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From the Asbestos Trust Fund (IC 13-17-6-3)

	4,503	4,503
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From the Underground Petroleum Storage Tank Trust Fund (IC 13-23-6-1)

	7,223	7,223
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From the Underground Petroleum Storage Tank Excess Liability Trust Fund (IC 13-23-7-1)

	137,077	137,077
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Augmentation allowed from the State Solid Waste Management Fund, Title V Operating Trust Fund, Environmental Management Permit Operation Fund, Environmental Management Special Fund, Hazardous Substances Response Trust Fund, Asbestos Trust Fund, Underground Petroleum Storage Tank Trust Fund, and the Underground Petroleum Storage Tank Excess Liability Trust Fund.

The amounts specified from the General Fund, State Solid Waste Management Fund, Title V Operating Trust Fund, Environmental Management Permit Operation Fund, Environmental Management Special Fund, Hazardous Substances Response Trust Fund, Asbestos Trust Fund, Underground Petroleum Storage Tank Trust Fund, and the Underground Petroleum Storage Tank Excess Liability Trust Fund are for the following purposes:

Personal Services	834,169	834,169
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Other Operating Expense	21,500	21,500
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MEDIA AND COMMUNICATIONS

From the General Fund

317,515	317,515
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From the State Solid Waste Management Fund (IC 13-20-22-2)

17,833	17,833
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From the Title V Operating Permit Trust Fund (IC 13-17-8-1)

55,547	55,547
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From the Environmental Management Permit Operation Fund (IC 13-15-11-1)

69,197	69,197
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From the Environmental Management Special Fund (IC 13-14-12-1)

11,305	11,305
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From the Hazardous Substances Response Trust Fund (IC 13-25-4-1)

29,741	29,741
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From the Asbestos Trust Fund (IC 13-17-6-3)

3,853	3,853
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From the Underground Petroleum Storage Tank Trust Fund (IC 13-23-6-1)

6,181	6,181
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From the Underground Petroleum Storage Tank Excess Liability Trust Fund (IC 13-23-7-1)

117,299	117,299
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Augmentation allowed from the State Solid Waste Management Fund, Title V Operating Trust Fund, Environmental Management Permit Operation Fund, Environmental Management Special Fund, Hazardous Substances Response Trust Fund, Asbestos Trust Fund, Underground Petroleum Storage Tank Trust Fund, and the Underground Petroleum Storage Tank Excess Liability Trust Fund.

The amounts specified from the General Fund, State Solid Waste Management Fund, Title V Operating Trust Fund, Environmental Management Permit Operation Fund, Environmental Management Special Fund, Hazardous Substances Response Trust Fund, Asbestos Trust Fund, Underground Petroleum Storage Tank Trust Fund, and the Underground Petroleum Storage Tank Excess Liability Trust Fund are for the following purposes:

Personal Services	576,171	576,171
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Other Operating Expense	52,300	52,300
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PUBLIC POLICY AND PLANNING

From the General Fund

205,267	205,267
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From the State Solid Waste Management Fund (IC 13-20-22-2)

16,536	16,536
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From the Title V Operating Permit Trust Fund (IC 13-17-8-1)

51,508	51,508
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From the Environmental Management Permit Operation Fund (IC 13-15-11-1)

64,166	64,166
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From the Environmental Management Special Fund (IC 13-14-12-1)

10,484	10,484
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From the Hazardous Substances Response Trust Fund (IC 13-25-4-1)

27,579	27,579
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From the Asbestos Trust Fund (IC 13-17-6-3)

3,573	3,573
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From the Underground Petroleum Storage Tank Trust Fund (IC 13-23-6-1)

5,731	5,731
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From the Underground Petroleum Storage Tank Excess Liability Trust Fund (IC 13-23-7-1)
108,771 108,771

Augmentation allowed from the State Solid Waste Management Fund, Title V Operating Permit Trust Fund, Environmental Management Permit Operation Fund, Environmental Management Special Fund, Hazardous Substances Response Trust Fund, Asbestos Trust Fund, Underground Petroleum Storage Tank Trust Fund, and the Underground Petroleum Storage Tank Excess Liability Fund.

The amounts specified from the General Fund, the State Solid Waste Management Fund, the Title V Operating Permit Trust Fund, the Environmental Management Permit Operation Fund, Environmental Management Special Fund, the Hazardous Substances Response Trust Fund, the Asbestos Trust Fund, the Underground Petroleum Storage Tank Trust Fund, and the Underground Petroleum Storage Tank Excess Liability Fund are for the following purposes:

Personal Services	444,400	444,400
Other Operating Expense	49,215	49,215

OHIO RIVER VALLEY WATER SANITATION COMMISSION

Environmental Management Special Fund (IC 13-14-12-1)		
Total Operating Expense	242,900	242,900

Augmentation allowed.

OFFICE OF ENVIRONMENTAL RESPONSE

Personal Services	1,986,571	1,986,571
Other Operating Expense	619,069	619,069

POLLUTION PREVENTION AND TECHNICAL ASSISTANCE

Personal Services	1,056,692	1,056,692
Other Operating Expense	298,826	298,826

PCB INSPECTIONS

Environmental Management Permit Operation Fund (IC 13-15-11-1)		
Total Operating Expense	40,000	40,000

Augmentation allowed.

U.S. GEOLOGICAL SURVEY CONTRACTS

Environmental Management Special Fund (IC 13-14-12-1)		
Total Operating Expense	62,890	62,890

Augmentation allowed.

STATE SOLID WASTE GRANTS MANAGEMENT

State Solid Waste Management Fund (IC 13-20-22-2)		
Personal Services	236,987	236,987
Other Operating Expense	1,372,630	1,372,630

Augmentation allowed.

VOLUNTARY CLEAN-UP PROGRAM

Voluntary Remediation Fund (IC 13-25-5-21)		
Personal Services	636,512	636,512
Other Operating Expense	551,500	551,500

Augmentation allowed.

TITLE V AIR PERMIT PROGRAM

Title V Operating Permit Trust Fund (IC 13-17-8-1)		
Personal Services	5,537,684	5,537,684
Other Operating Expense	3,592,609	3,174,989

Augmentation allowed.

WATER MANAGEMENT PERMITTING

From the General Fund		
	1,854,641	1,854,641
From the Environmental Management Permit Operation Fund (IC 13-15-11-1)		
	3,950,000	3,950,000
Augmentation allowed from the Environmental Management Permit Operation Fund.		
The amounts specified from the General Fund and the Environmental Management Permit Operation Fund are for the following purposes:		
Personal Services	4,856,814	4,856,814
Other Operating Expense	947,827	947,827
SOLID WASTE MANAGEMENT PERMITTING		
From the General Fund		
	1,990,625	1,990,625
From the Environmental Management Permit Operation Fund (IC 13-15-11-1)		
	2,967,769	2,967,769
Augmentation allowed from the Environmental Management Permit Operation Fund.		
The amounts specified from the General Fund and the Environmental Management Permit Operation Fund are for the following purposes:		
Personal Services	4,556,623	4,556,623
Other Operating Expense	401,771	401,771
HAZARDOUS WASTE MANAGEMENT PERMITTING		
From the General Fund		
	2,469,511	2,469,511
From the Environmental Management Permit Operation Fund (IC 13-15-11-1)		
	2,844,043	2,844,043
Augmentation allowed from the Environmental Management Permit Operation Fund.		
The amounts specified from the General Fund and the Environmental Management Permit Operation Fund are for the following purposes:		
Personal Services	4,172,589	4,172,589
Other Operating Expense	1,140,965	1,140,965
WATERSHED MANAGEMENT		
Environmental Management Special Fund (IC 13-14-12-1)		
Total Operating Expense	24,038	24,038
Augmentation allowed.		
CLEAN VESSEL PUMPOUT		
Environmental Management Special Fund (IC 13-14-12-1)		
Total Operating Expense	58,300	58,300
Augmentation allowed.		
GROUNDWATER PROGRAM		
Total Operating Expense	274,902	274,902
UNDERGROUND STORAGE TANK PROGRAM		
Underground Petroleum Storage Tank Trust Fund (IC 13-23-6-1)		
Total Operating Expense	291,037	291,037
Augmentation allowed.		
AIR MANAGEMENT OPERATING		
From the General Fund		
	923,961	891,310
From the Environmental Management Special Fund (IC 13-14-12-1)		
	1,626,039	1,658,690
Augmentation allowed from the Environmental Management Special Fund.		

The amounts specified from the General Fund and the Environmental Management Special Fund are for the following purposes:

Personal Services	1,678,608	1,678,608
Other Operating Expense	871,392	871,392
WATER MANAGEMENT NON-PERMITTING		
Personal Services	3,023,737	3,023,737
Other Operating Expense	574,209	574,209
GREAT LAKES INITIATIVE		
Environmental Management Special Fund (IC 13-14-12-1)		
Total Operating Expense	94,958	94,958
Augmentation allowed.		
OPERATOR TRAINING		
Total Operating Expense	42,301	42,301
SAFE DRINKING WATER		
From the General Fund		
	541,286	541,286
From the Environmental Management Special Fund (IC 13-14-12-1)		
	44,926	44,926

Augmentation allowed from the Environmental Management Special Fund.

The amounts specified from the General Fund and the Environmental Management Special Fund are for the following purposes:

Personal Services	434,183	434,183
Other Operating Expense	152,029	152,029
LEAKING UNDERGROUND STORAGE TANKS		
Underground Petroleum Storage Tank Trust Fund (IC 13-23-6-1)		
Personal Services	117,257	117,257
Other Operating Expense	44,109	44,109
Augmentation allowed.		
CORE SUPERFUND		
Hazardous Substances Response Trust Fund (IC 13-25-4-1)		
Total Operating Expense	136,122	136,122
Augmentation allowed.		
AUTO EMISSIONS TESTING PROGRAM		
Personal Services	238,571	238,571
Other Operating Expense	7,710,705	7,743,356
HAZARDOUS WASTE SITE - STATE CLEAN-UP		
Hazardous Substances Response Trust Fund (IC 13-25-4-1)		
Personal Services	893,093	893,093
Other Operating Expense	1,323,811	1,323,811
Augmentation allowed.		
HAZARDOUS WASTE SITES - NATURAL RESOURCE DAMAGES		
Hazardous Substances Response Trust Fund (IC 13-25-4-1)		
Personal Services	118,367	118,367
Other Operating Expense	680,991	680,991
Augmentation allowed.		
SUPERFUND MATCH		
Hazardous Substances Response Trust Fund (IC 13-25-4-1)		
Total Operating Expense	354,985	354,985
Augmentation allowed.		

HOUSEHOLD HAZARDOUS WASTE

Hazardous Substances Response Trust Fund (IC 13-25-4-1)

Personal Services	39,693	39,693
Other Operating Expense	443,816	443,816

Augmentation allowed.

ASBESTOS TRUST - OPERATING

Asbestos Trust Fund (IC 13-17-6-3)

Personal Services	523,723	523,723
Other Operating Expense	150,384	150,384

Augmentation allowed.

UNDERGROUND PETROLEUM STORAGE TANK - OPERATING

Underground Petroleum Storage Tank Excess Liability Trust Fund (IC 13-23-7-1)

Personal Services	161,161	161,161
Other Operating Expense	48,026,000	48,026,000

Augmentation allowed.

WASTE TIRE MANAGEMENT

Waste Tire Management Fund (IC 13-20-13-8)

Total Operating Expense	100,000	100,000
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Augmentation allowed.

VOLUNTARY COMPLIANCE

Environmental Management Special Fund (IC 13-14-12-1)

Personal Services	202,929	202,929
Other Operating Expense	217,737	217,737

Augmentation allowed.

ENVIRONMENTAL MANAGEMENT SPECIAL FUND - OPERATING

Environmental Management Special Fund (IC 13-14-12-1)

Total Operating Expense	1,100,000	1,100,000
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Augmentation allowed.

SMALL TOWN COMPLIANCE

Environmental Management Special Fund (IC 13-14-12-1)

Total Operating Expense	60,000	60,000
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Augmentation allowed.

WETLANDS PROTECTION

Environmental Management Special Fund (IC 13-14-12-1)

Total Operating Expense	50,709	50,709
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Augmentation allowed.

PETROLEUM TRUST - OPERATING

Underground Petroleum Storage Tank Trust Fund (IC 13-23-6-1)

Personal Services	226,961	226,961
Other Operating Expense	462,885	462,885

Augmentation allowed.

LEAD BASED PAINT ACTIVITIES PROGRAM

Lead Trust Fund (IC 13-17-14-6)

Total Operating Expense	23,500	23,500
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Augmentation allowed.

Notwithstanding any other law, with the approval of the governor and the budget agency, the above appropriations for water management permitting, hazardous waste management permitting, wetlands protection, watershed management, groundwater program, underground storage tank program, air management operating, lead-based paint activities program,

water management non-permitting, coastal management (pollution prevention incentives), and safe drinking water may be used to fund activities incorporated into a performance partnership grant between the United States Environmental Protection Agency and the Department of Environmental Management.

FOR THE OFFICE OF ENVIRONMENTAL ADJUDICATION

Personal Services	205,722	205,722
Other Operating Expense	100,723	100,723

FOR THE CLEAN MANUFACTURING TECHNOLOGY BOARD

Total Operating Expense	475,000	475,000
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2003-224-6

SECTION 6.

ECONOMIC DEVELOPMENT

A. AGRICULTURE

FOR THE LIEUTENANT GOVERNOR

OFFICE OF THE COMMISSIONER OF AGRICULTURE

Personal Services	1,359,749	1,359,749
Other Operating Expense	251,202	251,202

VALUE ADDED RESEARCH FUND (IC 4-4-3.4-4)

General Fund

Total Operating Expense	257,957	257,957
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Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)

Total Operating Expense	600,000	600,000
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FARM COUNSELING PROGRAM

Total Operating Expense	279,000	279,000
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LAND RESOURCES COUNCIL

Total Operating Expense		301,266
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FOR THE RURAL DEVELOPMENT COUNCIL

RURAL DEVELOPMENT ADMINISTRATION FUND (IC 4-4-9.3-1)

Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)

Total Operating Expense	2,400,000	2,400,000
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RURAL DEVELOPMENT COUNCIL FUND (IC 4-4-9.5-4)

Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)

Total Operating Expense	1,200,000	1,200,000
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B. COMMERCE

FOR THE DEPARTMENT OF COMMERCE

ADMINISTRATIVE AND FINANCIAL SERVICES

From the General Fund

4,224,726	4,224,726
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From the Skills 2016 Fund

142,073	142,073
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From the Industrial Development Grant Fund

48,124	48,124
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The amounts specified from the General Fund, Skills 2016, and Industrial Development Grant Fund are for the following purposes:

Personal Services	2,852,663	2,852,663
Other Operating Expense	1,562,260	1,562,260

COMMUNITY ECONOMIC DEVELOPMENT

Personal Services	4,770,872	4,770,872
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Other Operating Expense	1,301,531	1,301,531
INTERNATIONAL TRADE		
Total Operating Expense	1,394,676	1,394,676
RECYCLING OPERATING		
Indiana Recycling Promotion and Assistance Fund (IC 4-23-5.5-14)		
Personal Services	48,124	48,124
Other Operating Expense	183,358	183,358
Augmentation allowed.		
ENTERPRISE ZONE PROGRAM		
Indiana Enterprise Zone Fund (IC 4-4-6.1-2.3)		
Total Operating Expense	339,118	339,118
Augmentation allowed.		
STATE ENERGY PROGRAM		
Total Operating Expense	96,794	96,794
INDIANA INDIVIDUAL DEVELOPMENT ACCOUNTS		
Total Operating Expense	1,350,000	1,350,000
The department shall collect and report to the family and social services administration (FSSA) all data required for FSSA to meet the data collection and reporting requirements in 45 CFR Part 265.		
Family and social services administration, division of family and children shall apply all qualifying expenditures for individual development accounts deposits toward Indiana's maintenance of effort under the federal Temporary Assistance to Needy Families (TANF) program (45 CFR 260 et seq.).		
LOCAL ECONOMIC DEVELOPMENT ORGANIZATION/ REGIONAL ECONOMIC DEVELOPMENT ORGANIZATION (LEDO/REDO) MATCHING GRANT PROGRAM		
Total Operating Expense		1,900,000
SKILLS 2016		
Total Operating Expense		23,137,450
BUSINESS AND TOURISM PROMOTION FUND		
Total Operating Expense		9,747,290
RECYCLING PROMOTION AND ASSISTANCE PROGRAM		
Indiana Recycling Promotion and Assistance Fund (IC 4-23-5.5-14)		
Total Operating Expense	1,500,000	1,500,000
Augmentation allowed.		
TRADE PROMOTION FUND		
Total Operating Expense	200,000	200,000
ECONOMIC DEVELOPMENT FUND		
Total Operating Expense		1,200,000
INDUSTRIAL DEVELOPMENT GRANT FUND		
Total Operating Expense		6,500,000
ECONOMIC DEVELOPMENT COUNCIL		
Total Operating Expense	309,225	309,225
INDIANA DEVELOPMENT FINANCE AUTHORITY (IDFA)		
CAPITAL ACCESS PROGRAM		
Total Operating Expense		1,242,500
Notwithstanding the provisions of P.L. 273-1999, that portion of the appropriation for the capital access program allocated for licensed child care facilities may be used for other uses permitted under IC 4-4-26.		

ENVIRONMENTAL REMEDIATION REVOLVING LOAN FUND		
Total Operating Expense		5,000,000
PROJECT GUARANTY FUND		
Total Operating Expense		1,800,000
Notwithstanding the provisions of P.L. 273-1999, that portion of the appropriation for the project guaranty fund allocated for creation of a debt reserve service fund for the purpose of allowing the authority to issue pooled bonds for the construction or renovation of licensed child care facilities may be used for other uses permitted under IC 4-4-11-16.		
BUSINESS DEVELOPMENT LOAN FUND		
Total Operating Expense		2,000,000
TECHNOLOGY DEVELOPMENT GRANT FUND (IC 4-12-11-8)		
Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)		
Total Operating Expense	4,500,000	4,500,000
PUBLICIZING CORPORATE TAX RESTRUCTURING		
Total Operating Expense	1,000,000	0
The above appropriation for publicizing corporate tax restructuring is to be used to publicize the corporate tax restructuring in Indiana to businesses and industries in other states.		
C. COMMUNITY SERVICES		
FOR THE GOVERNOR'S COMMISSION ON		
COMMUNITY SERVICE AND VOLUNTEERISM		
Personal Services	237,396	237,396
Other Operating Expense	89,517	89,517
D. EMPLOYMENT SERVICES		
FOR THE DEPARTMENT OF WORKFORCE DEVELOPMENT		
ADMINISTRATION		
Total Operating Expense	1,144,950	1,144,950
STATE WORKFORCE DEVELOPMENT FUND		
Total Operating Expense	2,547,770	2,547,770
WOMEN'S COMMISSION		
Personal Services	104,616	104,616
Other Operating Expense	7,724	7,724
FOR THE COMMISSION ON HISPANIC/LATINO AFFAIRS		
Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)		
Total Operating Expense	125,000	125,000
The above appropriations are in addition to any funding for the commission derived from funds appropriated to the department of workforce development.		

2003-224-7

SECTION 7.

TRANSPORTATION

FOR THE DEPARTMENT OF TRANSPORTATION

For the conduct and operation of the department of transportation, the following sums are appropriated for the periods designated, from the state general fund, the public mass transportation fund, the industrial rail service fund, the state highway fund, the motor vehicle highway account, the distressed road fund, the state highway road construction and improvement fund, the motor carrier regulation fund, and the crossroads 2000 fund.

PLANNING AND ADMINISTRATION

From the State Highway Fund (IC 8-23-9-54)

516,673	516,673
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From the Public Mass Transportation Fund (IC 8-23-3-8)

202,176	202,176
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From the Industrial Rail Fund (IC 8-3-1.7-2)

29,952	29,952
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Augmentation allowed from the Public Mass Transportation Fund, Industrial Rail Service Fund, and State Highway Fund.

The amounts specified from the Public Mass Transportation Fund, Industrial Rail Service Fund, and State Highway Fund are for the following purposes:

Personal Services	571,981	571,981
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Other Operating Expense	176,820	176,820
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The above appropriations may be used to match federal funds available for planning and administration of transportation in Indiana.

INTERMODAL OPERATING

From the State Highway Fund (IC 8-23-9-54)

491,613	491,613
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From the Public Mass Transportation Fund (IC 8-23-3-8)

339,656	339,656
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From the Industrial Rail Fund (IC 8-3-1.7-2)

339,656	339,656
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Augmentation allowed from the State Highway Fund, Public Mass Transportation Fund and Industrial Rail Service Fund.

The amounts specified from the State Highway Fund, the Public Mass Transportation Fund, and the Industrial Rail Service Fund are for the following purposes:

Personal Services	979,022	979,022
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Other Operating Expense	191,903	191,903
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INTERMODAL GRANT PROGRAM

Department of Transportation Administration Fund

Total Operating Expense	42,000	42,000
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Public Mass Transportation Fund (IC 8-23-3-8)

Total Operating Expense	37,500	37,500
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Augmentation allowed from Public Mass Transportation Fund.

RAILROAD GRADE CROSSING IMPROVEMENT

Total Operating Expense	465,000	465,000
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PUBLIC MASS TRANSPORTATION

Public Mass Transportation Fund (IC 8-23-3-8)

Matching Funds	29,555,438	30,320,229
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Augmentation allowed.

The appropriations are to be used solely for the promotion and development of public transportation. The department of transportation shall allocate funds based on a formula approved by the commissioner of the department of transportation.

The department of transportation may distribute public mass transportation funds to an eligible grantee that provides public transportation in Indiana.

The state funds can be used to match federal funds available under the Federal Transit Act (49 U.S.C. 1601, et seq.), or local funds from a requesting grantee.

Before funds may be disbursed to a grantee, the grantee must submit its request for financial assistance to the department of transportation for approval. Allocations

must be approved by the governor and the budget agency after review by the budget committee and shall be made on a reimbursement basis. Only applications for capital and operating assistance may be approved. Only those grantees that have met the reporting requirements under IC 8-23-3 are eligible for assistance under this appropriation.

HIGHWAY OPERATING

State Highway Fund (IC 8-23-9-54)

Personal Services	206,601,190	206,601,190
Other Operating Expense	42,446,379	42,446,379

HIGHWAY BUILDINGS AND GROUNDS

State Highway Fund (IC 8-23-9-54)

Total Operating Expense		27,287,344
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The above appropriations for highway buildings and grounds may be used for land acquisition, site development, construction and equipping of new highway facilities and for maintenance, repair, and rehabilitation of existing state highway facilities.

HIGHWAY VEHICLE AND ROAD MAINTENANCE EQUIPMENT

State Highway Fund (IC 8-23-9-54)

Other Operating Expense	19,500,000	19,500,000
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The above appropriations for highway operating and highway vehicle and road maintenance equipment may be used for personal services, equipment, and other operating expense, including the cost of transportation for the governor.

HIGHWAY MAINTENANCE WORK PROGRAM

State Highway Fund (IC 8-23-9-54)

Other Operating Expense	70,420,000	70,420,000
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The above appropriations for the highway maintenance work program may be used for:

- (1) materials for patching roadways and shoulders;
- (2) repairing and painting bridges;
- (3) installing signs and signals and painting roadways for traffic control;
- (4) mowing, herbicide application, and brush control;
- (5) drainage control;
- (6) maintenance of rest areas, public roads on properties of the department of natural resources, and driveways on the premises of all state facilities;
- (7) materials for snow and ice removal;
- (8) utility costs for roadway lighting; and
- (9) other special maintenance and support activities consistent with the highway maintenance work program.

HIGHWAY CAPITAL IMPROVEMENTS

State Highway Fund (IC 8-23-9-54)

Right of Way Expense	11,340,000	11,660,000
Formal Contracts Expense	132,011,379	127,949,840
Consulting Service Expense	27,000,000	29,000,000
Institutional Road Construction	5,000,000	5,000,000

The above appropriations for the capital improvements program may be used for:

- (1) bridge rehabilitation and replacement;
- (2) road construction, reconstruction, or replacement;
- (3) construction, reconstruction, or replacement of travel lanes, intersections, grade separations, rest parks, and weigh stations;
- (4) relocation and modernization of existing roads;
- (5) resurfacing;
- (6) erosion and slide control;

- (7) construction and improvement of railroad grade crossings, including the use of the appropriations to match federal funds for projects;
- (8) small structure replacements;
- (9) safety and spot improvements; and
- (10) right-of-way, relocation, and engineering and consulting expenses associated with any of the above types of projects.

The foregoing appropriations for highway operating, highway vehicles and road maintenance equipment, highway buildings and grounds, the highway planning and research program, the highway maintenance work program, and highway capital improvements are appropriated from estimated revenues which include the following:

- (1) Funds distributed to the state highway fund from the motor vehicle highway account under IC 8-14-1-3(4).
- (2) Funds distributed to the state highway fund from the highway, road, and street fund under IC 8-14-2-3.
- (3) All fees and miscellaneous revenues deposited in or accruing to the state highway fund under IC 8-23-9-54.
- (4) Any unencumbered funds carried forward in the state highway fund from any previous fiscal year.
- (5) All other funds appropriated or made available to the department by the general assembly.

If funds from sources set out above for the department exceed appropriations from those sources to the department, the excess amount is hereby appropriated to be used at the discretion of the department with approval of the governor and the budget agency for the conduct and operation of the department.

If there is a change in a statute reducing or increasing revenue for department use, the budget agency shall notify the auditor of state to adjust the above appropriations to reflect the estimated increase or decrease. Upon the request of the department, the budget agency, with the approval of the governor, may allot any increase in appropriations to the department.

If the department of transportation finds that an emergency exists or that an appropriation will be insufficient to cover expenses incurred in the normal operation of the department, the budget agency may, upon request of the department, and with the approval of the governor, transfer funds from revenue sources set out above from one (1) appropriation to the deficient appropriation. No appropriation from the state highway fund may be used to fund any toll road or toll bridge project except as specifically provided for under IC 8-15-2-20.

HIGHWAY PLANNING AND RESEARCH PROGRAM

State Highway Fund (IC 8-23-9-54)

Total Operating Expense	3,250,000	3,250,000
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STATE HIGHWAY ROAD CONSTRUCTION AND IMPROVEMENT PROGRAM

Highway Construction Improvement Fund (IC 8-14-10-5)

Formal Contracts Expense	31,900,000	28,400,000
Lease Rental Payments Expense	34,400,000	39,000,000

Augmentation allowed.

The above appropriations for the state highway road construction and improvement program are appropriated from the state highway road construction and improvement fund provided in IC 8-14-10-5 and may include any unencumbered funds carried forward from any previous fiscal year. The funds may be used for:

- (1) road and bridge construction, reconstruction, or replacement;

- (2) construction, reconstruction, or replacement of travel lanes, intersections, grade separations;
- (3) relocation and modernization of existing roads;
- (4) right-of-way, relocation, and engineering and consulting expenses associated with any of the above types of projects; and
- (5) payment of rentals and leases relating to projects under IC 8-14.5.

CROSSROADS 2000 PROGRAM

Crossroads 2000 Fund (IC 8-14-10-9)

Lease Rental Payments Expense	36,800,000	37,200,000
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Augmentation allowed.

FEDERAL APPORTIONMENT

Right-of-Way Expense	45,360,000	46,640,000
Formal Contracts Expense	309,240,000	314,960,000
Consulting Engineers Expense	47,000,000	45,000,000
Highway Planning and Research	13,000,000	13,000,000
Local Government Revolving Acct.	158,332,000	160,000,000
Formal Contracts - SHRCIF	60,000,000	60,000,000

The department may establish an account to be known as the "local government revolving account". The account is to be used to administer the federal-local highway construction program. All contracts issued and all funds received for federal-local projects under this program shall be entered into this account.

If the federal apportionments for the fiscal years covered by this act exceed the above estimated appropriations for the department or for local governments, the excess federal apportionment is hereby appropriated for use by the department with the approval of the governor and the budget agency.

The department shall bill, in a timely manner, the federal government for all department payments that are eligible for total or partial reimbursement.

The department may let contracts and enter into agreements for construction and preliminary engineering during each year of the 2003-2005 biennium that obligate not more than one-third (1/3) of the amount of state funds estimated by the department to be available for appropriation in the following year for formal contracts and consulting engineers for the capital improvements program.

Under IC 8-23-5-7(a), the department, with the approval of the governor, may construct and maintain roadside parks and highways where highways will connect any state highway now existing, or hereafter constructed, with any state park, state forest preserve, state game preserve, or the grounds of any state institution. There is appropriated to the department of transportation an amount sufficient to carry out the provisions of this paragraph. Under IC 8-23-5-7(d), such appropriations shall be made from the motor vehicle highway account before distribution to local units of government.

LOCAL TECHNICAL ASSISTANCE AND RESEARCH

Under IC 8-14-1-3(6), there is appropriated to the department of transportation an amount sufficient for:

- (1) the program of technical assistance under IC 8-23-2-5(6); and
- (2) the research and highway extension program conducted for local government under IC 8-17-7-4.

The department shall develop an annual program of work for research and extension in cooperation with those units being served, listing the types of research and educational programs to be undertaken. The commissioner of the department of transportation may make a grant under this appropriation to the institution or agency selected to conduct

the annual work program. Under IC 8-14-1-3(6), appropriations for the program of technical assistance and for the program of research and extension shall be taken from the local share of the motor vehicle highway account.

Under IC 8-14-1-3(7) there is hereby appropriated such sums as are necessary to maintain a sufficient working balance in accounts established to match federal and local money for highway projects. These funds are appropriated from the following sources in the proportion specified:

- (1) one-half (1/2) from the forty-seven percent (47%) set aside of the motor vehicle highway account under IC 8-14-1-3(7); and
- (2) for counties and for those cities and towns with a population greater than five thousand (5,000), one-half (1/2) from the distressed road fund under IC 8-14-8-2.

2003-224-8

SECTION 8.

FAMILY AND SOCIAL SERVICES, HEALTH, AND VETERANS' AFFAIRS

A. FAMILY AND SOCIAL SERVICES

FOR THE STATE BUDGET AGENCY

FSSA/DEPARTMENT OF HEALTH INSTITUTIONAL CONTINGENCY FUND

Total Operating Expense

2,000,000

The above institutional contingency fund shall be allotted upon the recommendation of the budget agency with approval of the governor. This appropriation may be used to supplement individual hospital, state developmental center, and special institutions budgets.

INDIANA PRESCRIPTION DRUG PROGRAM

Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)

Total Operating Expense	8,000,000	8,000,000
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With the approval of the governor and the budget agency, the above appropriations for the Indiana prescription drug program may be augmented by leveraging for each fiscal year federal Medicaid dollars.

FOR THE FAMILY AND SOCIAL SERVICES ADMINISTRATION

CHILDREN'S HEALTH INSURANCE PROGRAM

Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)

Total Operating Expense	23,800,000	26,200,000
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FAMILY AND SOCIAL SERVICES ADMINISTRATION

Total Operating Expense	13,812,028	13,812,028
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COMMISSION FOR THE STATUS OF BLACK MALES

Total Operating Expense	126,101	126,101
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OFFICE OF MEDICAID POLICY AND PLANNING - ADMINISTRATION

Total Operating Expense	4,124,812	4,124,812
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MEDICAID ADMINISTRATION

Total Operating Expense	49,500,000	49,500,000
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MEDICAID - CURRENT OBLIGATIONS

General Fund

Total Operating Expense	1,209,600,000	1,209,600,000
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Hospital Care for the Indigent Fund (IC 12-16-14-6)

Total Operating Expense	55,200,000	56,900,000
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Augmentation allowed.

The foregoing appropriations for Medicaid current obligations and for Medicaid administration

are for the purpose of enabling the office of Medicaid policy and planning to carry out all services as provided in IC 12-8-6. In addition to the above appropriations, all money received from the federal government and paid into the state treasury as a grant or allowance is appropriated and shall be expended by the office of Medicaid policy and planning for the respective purposes for which the money was allocated and paid to this state. Subject to the provisions of P.L.46-1995, if the sums herein appropriated for Medicaid current obligations and for Medicaid administration are insufficient to enable the office of Medicaid policy and planning to meet its obligations, then there is appropriated from the state general fund such further sums as may be necessary for that purpose, subject to the approval of the governor and the budget agency.

Subject to the approval of the governor and the budget agency, the foregoing appropriations for Medicaid - Current Obligations may be augmented or reduced based on revenues accruing to the hospital care for the indigent fund.

MEDICAID DISABILITY ELIGIBILITY EXAMS

Total Operating Expense	3,195,000	3,195,000
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DIVISION OF MENTAL HEALTH ADMINISTRATION

Personal Services	2,308,149	2,308,149
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Other Operating Expense	172,416	172,416
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SERIOUSLY EMOTIONALLY DISTURBED

Total Operating Expense	16,485,578	16,485,578
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SERIOUSLY MENTALLY ILL

General Fund

Total Operating Expense	93,894,784	93,894,784
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Mental Health Centers Fund (IC 6-7-1)

Total Operating Expense	4,445,000	4,445,000
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Augmentation allowed.

The comprehensive community mental health centers shall submit their proposed annual budgets (including income and operating statements) to the budget agency on or before August 1 of each year. All federal funds shall be applied in augmentation of the foregoing funds rather than in place of any part of the funds.

The above appropriations for comprehensive community mental health services include the intragovernmental transfers necessary to provide the nonfederal share of reimbursement under the Medicaid rehabilitation option.

GAMBLERS ASSISTANCE

Addiction Services Fund (IC 12-23-2)

Total Operating Expense	1,182,056	1,182,056
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SUBSTANCE ABUSE TREATMENT

General Fund

Total Operating Expense	5,006,000	5,006,000
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Addiction Services Fund (IC 12-23-2)

Total Operating Expense	4,946,936	4,946,936
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Augmentation allowed.

QUALITY ASSURANCE/RESEARCH

General Fund

Total Operating Expense	882,976	882,976
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Addiction Services Fund (IC 12-23-2)

Total Operating Expense	92,812	92,812
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PREVENTION SERVICES

Addiction Services Fund (IC 12-23-2)		
Total Operating Expense	975,132	975,132
MENTAL HEALTH INSTITUTIONS		
General Fund		
Total Operating Expense		243,892,654
Mental Health Fund (IC 12-24-14-4)		
Total Operating Expense		41,357,678
Augmentation allowed.		

The foregoing appropriations for the mental health institutions are for the operations of Evansville Psychiatric Treatment Center for Children, Evansville State Hospital, Larue D. Carter Memorial Hospital, Logansport State Hospital, Madison State Hospital, Richmond State Hospital.

Sixty-six percent (66%) of the revenue accruing to the state mental health institutions under IC 12-15 shall be deposited in the mental health fund established by IC 12-24-14, and thirty-four percent (34%) of the revenue accruing to the institutions, under IC 12-15, shall be deposited in the state general fund.

In addition to the above appropriations each institution may qualify for an additional appropriation, or allotment, subject to approval of the governor and the budget agency, from the mental health fund of up to twenty percent (20%), but not to exceed \$50,000 in each fiscal year, of the amount by which actual net collections exceed an amount specified in writing by the division of mental health before July 1 of each year beginning July 1, 2003.

DIVISION OF FAMILY AND CHILDREN SERVICES ADMINISTRATION

Personal Services	3,889,302	3,889,302
Other Operating Expense	1,498,168	1,498,168

TITLE IV-D OF THE FEDERAL SOCIAL SECURITY ACT (STATE MATCH)

Total Operating Expense	3,938,171	3,938,171
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The foregoing appropriations for the division of family and children Title IV-D of the federal Social Security Act are made under, and not in addition to, IC 12-17-2-31.

STATE WELFARE - COUNTY ADMINISTRATION

Total Operating Expense	98,281,302	98,281,302
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EDUCATION AND TRAINING

Total Operating Expense	8,309,088	8,309,088
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TEMPORARY ASSISTANCE TO NEEDY FAMILIES (TANF)

Total Operating Expense	31,357,943	31,357,943
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INFORMATION SYSTEMS/TECHNOLOGY

Total Operating Expense	12,931,228	12,931,228
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CHILD CARE SERVICES

Total Operating Expense	33,670,756	33,670,756
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The foregoing appropriations for information systems/technology, education and training, temporary assistance to needy families (TANF), and child care services are for the purpose of enabling the division of family and children to carry out all services as provided in IC 12-14. In addition to the above appropriations, all money received from the federal government and paid into the state treasury as a grant or allowance is appropriated and shall be expended by the division of family and children for the respective purposes for which such money was allocated and paid to this state.

TITLE IV-B CHILD WELFARE ADMINISTRATION

Total Operating Expense	569,401	569,401
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ADOPTION ASSISTANCE

Total Operating Expense	7,302,930	7,302,930
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The foregoing appropriations for Title IV-B child welfare and adoption assistance represent the maximum state match for Title IV-B, and Title IV-E.

DOMESTIC VIOLENCE PREVENTION AND TREATMENT PROGRAM

General Fund

Total Operating Expense	1,000,000	1,000,000
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Domestic Violence Prevention and Treatment Fund (IC 12-18-4)

Total Operating Expense	1,000,000	1,000,000
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Augmentation allowed.

STEP AHEAD

Total Operating Expense	1,784,493	1,784,493
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FOOD ASSISTANCE PROGRAM

Total Operating Expense	146,000	146,000
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YOUTH SERVICE BUREAU

Total Operating Expense	1,250,000	1,250,000
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The executive director of the division of family and children shall establish standards for youth service bureaus. Any youth service bureau that is not an agency of a unit of local government or is not registered with the Indiana secretary of state as a nonprofit corporation shall not be funded. The division of family and children shall fund all youth service bureaus that meet the standards as established June 30, 1983. However, a grant may not be made without approval by the budget agency after review by the budget committee.

EARLY CHILDHOOD INTERVENTION SERVICES/PROJECT SAFEPLACE

Total Operating Expense	6,583,433	6,583,433
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SOCIAL SERVICES BLOCK GRANT (SSBG)

Total Operating Expense	16,534,000	16,534,000
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The above appropriated funds are allocated in the following manner during the biennium:

Division of Disability, Aging, and Rehabilitative Services

1,615,017	1,615,017
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Division of Family and Children, Child Welfare

12,404,090	12,404,090
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Division of Family and Children, Family Protection Services

1,475,214	1,475,214
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Department of Health

228,376	228,376
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Department of Correction

811,303	811,303
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AGING AND DISABILITY SERVICES

Total Operating Expense	16,941,480	16,941,480
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DIVISION OF DISABILITY, AGING, AND REHABILITATIVE SERVICES ADMINISTRATION

Total Operating Expense	3,080	3,080
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The above appropriations for the division of disability, aging, and rehabilitative services administration are for administrative expenses. Any federal fund reimbursements received for such purposes are to be deposited in the state general fund.

HOME HEALTH PROVIDER SALARIES

Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)

Total Operating Expense	3,000,000	3,000,000
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The foregoing appropriations for the division of disability, aging, and rehabilitative services are appropriated for the home health providers to increase the salaries

of direct care workers.

C.H.O.I.C.E. IN-HOME SERVICES

Total Operating Expense	48,673,544	48,673,544
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The foregoing appropriations for C.H.O.I.C.E./In-Home Services include intragovernmental transfers to provide the nonfederal share of the Medicaid aged and disabled waiver. In addition to the Medicaid aged and disabled waivers provided under intragovernmental transfers, an additional \$3,000,000 may be used each year for Medicaid aged and disabled waivers.

If the appropriations for C.H.O.I.C.E./In-Home Services are insufficient to provide services to all eligible persons, the division of disability, aging, and rehabilitative services may give priority for services to persons who are unable to perform three (3) or more activities of daily living (as defined in IC 12-10-10-1.5).

The division of disability, aging, and rehabilitative services may discontinue conducting assessments for individuals applying for services under the C.H.O.I.C.E./In-Home Services program if a waiting list for such services exists.

The division of disability, aging, and rehabilitative services shall conduct an annual evaluation of the cost effectiveness of providing home care. Before January of each year, the division shall submit a report to the budget committee, the budget agency, and the legislative council that covers all aspects of the division's evaluation and such other information pertaining thereto as may be requested by the budget committee, the budget agency, or the legislative council, including the following:

- (1) the number and demographic characteristics of the recipients of home care during the preceding fiscal year;
- (2) the total cost and per recipient cost of providing home care services during the preceding fiscal year;
- (3) the number of recipients of home care services who would have been placed in long term care facilities had they not received home care services; and
- (4) the total cost savings during the preceding fiscal year realized by the state due to recipients of home care services (including Medicaid) being diverted from long term care facilities.

The division shall obtain from providers of services data on their costs and expenditures regarding implementation of the program and report the findings to the budget committee, the budget agency, and the legislative council.

VOCATIONAL REHABILITATION SERVICES

Personal Services	3,555,739	3,555,739
Other Operating Expense	11,952,631	11,952,631

AID TO INDEPENDENT LIVING

Total Operating Expense	22,222	22,222
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ATTAIN PROJECT

Total Operating Expense	355,500	355,500
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OFFICE OF DEAF AND HEARING IMPAIRED

Personal Services	278,202	278,202
Other Operating Expense	219,519	219,519

BLIND VENDING OPERATIONS

Total Operating Expense	130,137	130,137
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DEVELOPMENTALLY DISABLED CLIENT SERVICES

From the General Fund

169,038,450

From the Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)

42,600,000

Total Operating Expense

211,638,450

With the approval of the governor and the budget agency, an amount up to \$1,250,000 for each year of the biennium may be transferred from the above appropriations for client services to early childhood intervention services.

The above appropriations for client services include the intragovernmental transfers necessary to provide the nonfederal share of reimbursement under the Medicaid program for day services provided to residents of group homes and nursing facilities.

In the development of new community residential settings for persons with developmental disabilities, the division of disability, aging, and rehabilitative services must give priority to the appropriate placement of such persons who are eligible for Medicaid and currently residing in intermediate care or skilled nursing facilities and, to the extent permitted by law, such persons who reside with aged parents or guardians or families in crisis.

QUALITY ASSURANCE SERVICES

From the Community Services Quality Assurance Fund (IC 12-11-1.1-10)

Total Operating Expense	10,000,000	10,000,000
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Augmentation allowed.

STATE DEVELOPMENTAL CENTERS

From the General Fund

Total Operating Expense	90,541,100
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From the Mental Health Fund (IC 12-24-14-4)

Total Operating Expense	82,181,216
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From the MSDC Vocational

Total Operating Expense	17,920
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Augmentation allowed.

The foregoing appropriations for the state developmental centers are for the operations of the Fort Wayne state developmental center and the Muscatatuck state developmental center.

Sixty-six percent (66%) of the revenue accruing to the above named state developmental centers under IC 12-15 shall be deposited in the mental health fund established under IC 12-24-14, and thirty-four percent (34%) of the revenue accruing to the above named institutions under IC 12-15 shall be deposited in the state general fund.

In addition to the above appropriations, each institution may qualify for an additional appropriation, or allotment, subject to approval of the governor and the budget agency, from the mental health fund of up to twenty percent (20%) but not to exceed \$50,000, of the amount in which actual net collections exceed an amount specified in writing by the division of disability, aging, and rehabilitative services before July 1 of each year beginning July 1, 2003.

B. PUBLIC HEALTH

FOR THE STATE DEPARTMENT OF HEALTH

Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)

Personal Services	18,694,664	18,694,664
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Other Operating Expense	7,054,223	7,054,223
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All receipts to the state department of health from licenses or permit fees shall be deposited in the state general fund. Augmentation allowed in amounts not to exceed additional revenue from penalties or fees enacted or implemented for collection by the state department of health after January 1, 2003.

CANCER REGISTRY

Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)		
Total Operating Expense	237,224	237,224

MINORITY HEALTH INITIATIVE

Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)		
Total Operating Expense	2,092,500	2,092,500

The foregoing appropriations shall be allocated to the Indiana Minority Health Coalition to work with the state department on the implementation of IC 16-46-11.

SICKLE CELL

Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)		
Total Operating Expense	232,500	232,500

AID TO COUNTY TUBERCULOSIS HOSPITALS

Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)		
Other Operating Expense	107,397	107,397

These funds shall be used for eligible expenses according to IC 16-21-7-3 for tuberculosis patients for whom there are no other sources of reimbursement, including patient resources, health insurance, medical assistance payments, and hospital care for the indigent.

MEDICARE-MEDICAID CERTIFICATION

Total Operating Expense	4,429,886	4,429,886
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Personal services augmentation allowed in amounts not to exceed additional revenue from health facilities license fee increases or from health care providers (as defined in IC 16-18-2-163) fee increases enacted after January 1, 2003 or adopted by the Executive Board of the Indiana State Department of Health pursuant to IC 16-19-3.

AIDS EDUCATION

Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)		
Personal Services	315,208	315,208
Other Operating Expense	359,594	359,594

HIV/AIDS SERVICES

Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)		
Total Operating Expense	2,325,004	2,325,004

TEST FOR DRUG AFFLICTED BABIES

Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)		
Total Operating Expense	62,496	62,496

The above appropriations for drug afflicted babies shall be used for the following purposes:

- (1) All newborn infants shall be tested for the presence of a controlled substance in the infant's meconium if they meet the criteria established by the state department of health. These criteria will, at a minimum, include all newborns, if at birth:
 - (A) the infant's weight is less than two thousand five hundred (2,500) grams;
 - (B) the infant's head is smaller than the third percentile for the infant's gestational age; and
 - (C) there is no medical explanation for the conditions described in clauses (A) and (B).
- (2) If a meconium test determines the presence of a controlled substance in the infant's meconium, the infant may be declared a child in need of services as provided in IC 31-34-1-10 through IC 31-34-1-13. However, the child's mother may not be prosecuted in connection with the results of the test.
- (3) The state department of health shall provide forms on which the results of a meconium test performed on an infant under subdivision (1) must be reported to the state department of health by physicians and hospitals.
- (4) The state department of health shall, at least semi-annually:
 - (A) ascertain the extent of testing under this chapter; and

- (B) report its findings under subdivision (1) to:
- (i) all hospitals;
 - (ii) physicians who specialize in obstetrics and gynecology or work with infants and young children; and
 - (iii) any other group interested in child welfare that requests a copy of the report from the state department of health.
- (5) The state department of health shall designate at least one (1) laboratory to perform the meconium test required under subdivisions (1) through (8). The designated laboratories shall perform a meconium test on each infant described in subdivision (1) to detect the presence of a controlled substance.
- (6) Subdivisions (1) through (7) do not prevent other facilities from conducting tests on infants to detect the presence of a controlled substance.
- (7) Each hospital and physician shall:
- (A) take or cause to be taken a meconium sample from every infant born under the hospital's and physician's care who meets the description under subdivision (1); and
 - (B) transport or cause to be transported each meconium sample described in clause (A) to a laboratory designated under subdivision (5) to test for the presence of a controlled substance as required under subdivisions (1) through (7).
- (8) The state department of health shall continue to evaluate the program established under subdivisions (1) through (7). The state department of health shall report the results of the evaluation to the general assembly not later than January 30, 2002, and January 30, 2003. The general assembly shall use the results of the evaluation to determine whether to continue the testing program established under subdivisions (1) through (7).
- (9) The state department of health shall establish guidelines to carry out this program, including guidance to physicians, medical schools, and birthing centers as to the following:
- (A) Proper and timely sample collection and transportation under subdivision (7) of this appropriation.
 - (B) Quality testing procedures at the laboratories designated under subdivision 5 of this appropriation.
 - (C) Uniform reporting procedures.
 - (D) Appropriate diagnosis and management of affected newborns and counseling and support programs for newborns' families.
- (10) A medically appropriate discharge of an infant may not be delayed due to the results of the test described in subdivision (1) or due to the pendency of the results of the test described in subdivision (1).

STATE CHRONIC DISEASES

Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)

Personal Services	91,741	91,741
Other Operating Expense	444,775	444,775

At least \$82,560 of the above appropriations shall be for grants to community groups and organizations as provided in IC 16-46-7-8.

WOMEN, INFANTS, AND CHILDREN SUPPLEMENT

Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)

Total Operating Expense	176,700	176,700
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MATERNAL AND CHILD HEALTH SUPPLEMENT

Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)

Total Operating Expense	176,700	176,700
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Notwithstanding IC 6-7-1-30.2, the above appropriations for the women, infants, and children supplement and maternal and child health supplement are the total appropriations provided for this purpose.

CANCER EDUCATION AND DIAGNOSIS - BREAST CANCER

Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)

Total Operating Expense	93,000	93,000
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CANCER EDUCATION AND DIAGNOSIS - PROSTATE CANCER

Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)

Total Operating Expense	93,000	93,000
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ADOPTION HISTORY

Adoption History Fund (IC 31-19-18)

Total Operating Expense	172,170	172,170
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Augmentation allowed.

CHILDREN WITH SPECIAL HEALTH CARE NEEDS

Total Operating Expense	5,848,119	5,848,119
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NEWBORN SCREENING PROGRAM

Newborn Screening Fund (IC 16-41-17)

Personal Services	117,823	117,823
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Other Operating Expense	1,093,914	1,093,914
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Augmentation allowed.

INDIANA HEALTH CARE PROFESSIONAL RECRUITMENT AND RETENTION

Indiana Medical and Nursing Grant Fund (IC 16-46-5)

Total Operating Expense	40,000	40,000
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Augmentation allowed.

RADON GAS TRUST FUND

Radon Gas Trust Fund (IC 16-41-38-8)

Total Operating Expense	15,000	15,000
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Augmentation allowed.

BIRTH PROBLEMS REGISTRY

Birth Problems Registry Fund (IC 16-38-4)

Personal Services	29,976	29,976
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Other Operating Expense	10,661	10,661
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Augmentation allowed.

MOTOR FUEL INSPECTION PROGRAM

Motor Fuel Inspection Fund (IC 16-44-3-10)

Total Operating Expense	80,313	80,313
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Augmentation allowed.

PROJECT RESPECT

Total Operating Expense	597,787	597,787
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DONATED DENTAL SERVICES

Total Operating Expense	46,500	46,500
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The above appropriation shall be used by the Indiana foundation for dentistry for the handicapped.

OFFICE OF WOMEN'S HEALTH

Total Operating Expense	162,749	162,749
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SILVERCREST CHILDREN'S DEVELOPMENT CENTER

Personal Services	6,774,075	6,774,075
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Other Operating Expense	660,595	660,595
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SOLDIERS' AND SAILORS' CHILDREN'S HOME

Personal Services	8,854,535	8,854,535
Other Operating Expense	1,152,667	1,152,667
INDIANA VETERANS' HOME		
From the General Fund		
	12,515,923	12,736,091
From the Comfort - Welfare Fund		
	9,292,152	9,292,152
The amounts specified from the General Fund and the Comfort-Welfare Fund are for the following purposes:		
Personal Services	17,530,659	17,555,659
Other Operating Expense	4,277,416	4,472,584
Subject to approval of the budget agency, any revenue accruing to the Silvercrest Children's Development Center and Soldiers' and Sailors' Children's Home from the receipt of Medicaid reimbursement may be used to augment the above appropriations. Any revenues not used for augmentation shall be deposited in the state general fund.		
MINORITY EPIDEMIOLOGY		
Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)		
Total Operating Expense	500,000	500,000
COMMUNITY HEALTH CENTERS		
Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)		
Total Operating Expense	15,000,000	15,000,000
LOCAL HEALTH MAINTENANCE FUND		
Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)		
Total Operating Expense	3,860,000	3,860,000
The above appropriations for the local health maintenance fund from the tobacco master settlement agreement fund is in lieu of the appropriation provided for this purpose in IC 6-7-1-30.5 or any other law. Of the above appropriations for the local health maintenance fund, \$60,000 each year shall be used to provide additional funding to adjust funding through the formula in IC 16-46-10 to reflect population increases in various counties.		
LOCAL HEALTH DEPARTMENT ACCOUNT		
Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)		
Total Operating Expense	3,000,000	3,000,000
The foregoing appropriations for the local health department account are statutory distributions pursuant to IC 4-12-7.		
FOR THE TOBACCO USE PREVENTION AND CESSATION BOARD		
TOBACCO USE PREVENTION AND CESSATION PROGRAM		
Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)		
Total Operating Expense	10,800,000	10,800,000
FOR THE INDIANA SCHOOL FOR THE BLIND		
Personal Services	9,635,103	9,635,103
Other Operating Expense	728,554	728,554
FOR THE INDIANA SCHOOL FOR THE DEAF		
Personal Services	15,748,129	15,748,129
Other Operating Expense	1,439,925	1,439,925
C. VETERANS' AFFAIRS		
FOR THE INDIANA DEPARTMENT OF VETERANS' AFFAIRS		
Personal Services	620,693	620,693
Other Operating Expense	216,564	216,564

The foregoing appropriations for the Indiana department of veterans' affairs include operating funds for the veterans' cemetery. Notwithstanding IC 10-17-1-6, staff employed for the operation and maintenance of the veterans' cemetery shall be selected as are all other state employees.

DISABLED AMERICAN VETERANS OF WORLD WARS		
Total Operating Expense	40,000	40,000
AMERICAN VETERANS OF WORLD WAR II, KOREA, AND VIETNAM		
Total Operating Expense	30,000	30,000
VETERANS OF FOREIGN WARS		
Total Operating Expense	30,000	30,000
VIETNAM VETERANS OF AMERICA		
Total Operating Expense		20,000

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SECTION 9.

EDUCATION

A. HIGHER EDUCATION

FOR INDIANA UNIVERSITY

BLOOMINGTON CAMPUS

Total Operating Expense	189,312,508	191,651,210
Informatics	2,500,000	3,600,000
Fee Replacement	16,146,719	16,303,973

FOR INDIANA UNIVERSITY REGIONAL CAMPUSES

EAST

Total Operating Expense	7,343,242	7,598,569
Fee Replacement	1,804,606	1,812,830

KOKOMO

Total Operating Expense	9,968,950	10,099,818
Fee Replacement	2,022,724	2,031,944

NORTHWEST

Total Operating Expense	17,178,540	17,173,419
Fee Replacement	3,557,707	3,573,923

SOUTH BEND

Total Operating Expense	22,061,845	22,586,919
Informatics	427,500	427,500
Fee Replacement	5,427,781	5,452,521

SOUTHEAST

Total Operating Expense	18,634,905	19,186,666
Fee Replacement	4,924,139	4,946,583

TOTAL APPROPRIATION - INDIANA UNIVERSITY REGIONAL CAMPUSES

93,351,939 94,890,692

FOR INDIANA UNIVERSITY - PURDUE UNIVERSITY

AT INDIANAPOLIS (IUPUI)

HEALTH DIVISIONS

Total Operating Expense	87,221,750	88,938,286
Fee Replacement	3,462,881	3,482,543

FOR INDIANA UNIVERSITY - REGIONAL MEDICAL CENTERS

EVANSVILLE REGIONAL MEDICAL CENTER

Total Operating Expense	1,472,768	1,501,752
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FORT WAYNE REGIONAL MEDICAL CENTER		
Total Operating Expense	1,354,853	1,381,517
NORTHWEST REGIONAL MEDICAL CENTER		
Total Operating Expense	1,924,755	1,962,634
LAFAYETTE REGIONAL MEDICAL CENTER		
Total Operating Expense	1,718,115	1,751,927
MUNCIE REGIONAL MEDICAL CENTER		
Total Operating Expense	1,544,864	1,575,268
SOUTH BEND REGIONAL MEDICAL CENTER		
Total Operating Expense	1,432,678	1,460,873
TERRE HAUTE REGIONAL MEDICAL CENTER		
Total Operating Expense	1,708,061	1,741,676
The Indiana University school of medicine shall submit to the Indiana commission for higher education before May 15 of each year an accountability report containing data on the number of medical school graduates who entered primary care physician residencies in Indiana from the school's most recent graduating class.		
FOR INDIANA UNIVERSITY - PURDUE UNIVERSITY AT INDIANAPOLIS (IUPUI)		
GENERAL ACADEMIC DIVISIONS		
Total Operating Expense	84,742,881	86,643,396
Informatics	2,500,000	3,700,000
Fee Replacement	16,208,181	16,300,205
TOTAL APPROPRIATIONS - IUPUI		
	205,291,787	210,440,077
Transfers of allocations between campuses to correct for errors in allocation among the campuses of Indiana University can be made by the institution with the approval of the commission for higher education and the budget agency. Indiana University shall maintain current operations at all statewide medical education sites.		
FOR INDIANA UNIVERSITY		
ABILENE NETWORK OPERATIONS CENTER		
Total Operating Expense	817,502	817,502
SPINAL CORD AND HEAD INJURY RESEARCH CENTER		
Total Operating Expense	509,630	514,726
DIVISION OF LABOR STUDIES IN CONTINUING EDUCATION		
Total Operating Expense	358,368	358,368
OPTOMETRY BOARD EDUCATION FUND		
Total Operating Expense	29,000	1,500
CHEMICAL TEST TRAINING		
Total Operating Expense	644,058	644,058
INSTITUTE FOR THE STUDY OF DEVELOPMENTAL DISABILITIES		
Total Operating Expense	2,432,526	2,432,526
GEOLOGICAL SURVEY		
Total Operating Expense	3,046,002	3,046,002
INDUSTRIAL RESEARCH LIAISON PROGRAM		
Total Operating Expense	249,964	249,964
LOCAL GOVERNMENT ADVISORY COMMISSION		
Total Operating Expense	55,518	55,518
FOR PURDUE UNIVERSITY		
WEST LAFAYETTE		
Total Operating Expense	230,510,461	235,172,228

Biomedical Engineering	2,500,000	5,000,000
Fee Replacement	21,271,920	17,632,498
FOR PURDUE UNIVERSITY - REGIONAL CAMPUSES		
CALUMET		
Total Operating Expense	26,412,712	26,547,810
Fee Replacement	1,935,321	1,935,778
NORTH CENTRAL		
Total Operating Expense	9,985,054	10,255,208
Fee Replacement	1,468,004	0
TOTAL APPROPRIATION - PURDUE UNIVERSITY REGIONAL CAMPUSES		
	39,801,091	38,738,796
FOR INDIANA UNIVERSITY - PURDUE UNIVERSITY		
AT FORT WAYNE (IUPUFW)		
Total Operating Expense	31,883,338	33,152,780
Northeast Indiana Innovation Center	500,000	1,000,000
Fee Replacement	3,683,717	3,331,188
Transfers of allocations between campuses to correct for errors in allocation among the campuses of Purdue University can be made by the institution with the approval of the commission for higher education and the budget agency.		
FOR PURDUE UNIVERSITY		
ANIMAL DISEASE DIAGNOSTIC LABORATORY SYSTEM		
Total Operating Expense	3,353,629	3,387,165
The above appropriations shall be used to fund the animal disease diagnostic laboratory system (ADDL), which consists of the main ADDL at West Lafayette, the bangs disease testing service at West Lafayette, and the southern branch of ADDL Southern Indiana Purdue Agricultural Center (SIPAC) in Dubois County. The above appropriations are in addition to any user charges that may be established and collected under IC 15-2.1-5-6. Notwithstanding IC 15-2.1-5-5, the trustees of Purdue University may approve reasonable charges for testing for pseudorabies.		
STATEWIDE TECHNOLOGY		
Total Operating Expense	5,468,959	5,468,959
COUNTY AGRICULTURAL EXTENSION EDUCATORS		
Total Operating Expense	7,103,447	7,103,447
AGRICULTURAL RESEARCH AND EXTENSION - CROSSROADS		
Total Operating Expense	7,107,724	7,107,724
CENTER FOR PARALYSIS RESEARCH		
Total Operating Expense	508,005	513,085
UNIVERSITY-BASED BUSINESS ASSISTANCE		
Total Operating Expense	1,100,715	1,100,715
NORTH CENTRAL - VALPO NURSING PARTNERSHIP		
Total Operating Expense	98,662	98,662
FOR INDIANA STATE UNIVERSITY		
Total Operating Expense	77,389,241	77,929,474
Expanding Info. Tech. Expertise	500,000	1,000,000
Fee Replacement	6,549,325	6,549,470
FOR UNIVERSITY OF SOUTHERN INDIANA		
Total Operating Expense	32,440,043	33,096,185
Engineering Equip./ Program Needs	250,000	600,000
Fee Replacement	5,862,166	5,859,415

HISTORIC NEW HARMONY		
Total Operating Expense	356,216	356,216
YOUNG ABE LINCOLN		
Total Operating Expense	238,562	238,562
FOR BALL STATE UNIVERSITY		
Total Operating Expense	121,165,738	123,174,106
Entrepreneurship/Comm.Dev.Pl.Inst.	750,000	1,700,000
Fee Replacement	8,093,255	8,094,555
ACADEMY FOR SCIENCE, MATHEMATICS, AND HUMANITIES		
Total Operating Expense	4,196,355	4,196,355
FOR VINCENNES UNIVERSITY		
Total Operating Expense	33,222,987	34,866,027
Digital Comm./Information Technology	525,000	1,065,000
Fee Replacement	2,666,455	2,669,550
FOR IVY TECH STATE COLLEGE		
Total Operating Expense	116,718,755	127,032,337
Statewide Access-AS Nursing Prog	800,000	1,500,000
Fee Replacement	8,997,210	10,262,578

Of the above appropriations for IVY TECH total operating expense, \$135,000 each year shall be used for the Community Learning Center in Portage.

FOR THE INDIANA HIGHER EDUCATION TELECOMMUNICATIONS SYSTEM (IHETS)

Total Operating Expense	6,661,610	6,661,610
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The sums herein appropriated to Indiana University, Purdue University, Indiana State University, University of Southern Indiana, Ball State University, Vincennes University, Ivy Tech State College, and the Indiana Higher Education Telecommunications System (IHETS) are in addition to all income of said institutions and IHETS, respectively, from all permanent fees and endowments and from all land grants, fees, earnings, and receipts, including gifts, grants, bequests, and devises, and receipts from any miscellaneous sales from whatever source derived.

All such income and all such fees, earnings, and receipts on hand June 30, 2003, and all such income and fees, earnings, and receipts accruing thereafter are hereby appropriated to the boards of trustees or directors of the aforementioned institutions and IHETS and may be expended for any necessary expenses of the respective institutions and IHETS, including university hospitals, schools of medicine, nurses' training schools, schools of dentistry, and agricultural extension and experimental stations. However, such income, fees, earnings, and receipts may be used for land and structures only if approved by the governor and the budget agency.

The foregoing appropriations and allocations for fee replacement are for replacement of student fees deducted during the 2003-2005 biennium to cover bond or lease-purchase principal, interest, and other obligations of debt costs of facility construction and acquisition for those projects authorized by the general assembly. These fee replacement appropriations and allocations shall be allotted by the budget agency after receipt of verification of payment of such debt cost expense.

The foregoing appropriations to Indiana University, Purdue University, Indiana State University, University of Southern Indiana, Ball State University, Vincennes University, Ivy Tech State College, and IHETS include the employers' share of Social Security payments for university and IHETS employees under the public employees' retirement fund, or institutions covered by the Indiana state teachers' retirement fund. The funds appropriated also include funding for the employers' share of payments to the

public employees' retirement fund and to the Indiana state teachers' retirement fund at a rate to be established by the retirement funds for both fiscal years for each institution and for IHETS employees covered by these retirement plans.

The treasurers of Indiana University, Purdue University, Indiana State University, University of Southern Indiana, Ball State University, Vincennes University, and Ivy Tech State College shall, at the end of each three (3) month period, prepare and file with the auditor of state a financial statement that shall show in total all revenues received from any source, together with a consolidated statement of disbursements for the same period. The budget director shall establish the requirements for the form and substance of the reports.

The reports of the treasurer also shall contain in such form and in such detail as the governor and the budget agency may specify, complete information concerning receipts from all sources, together with any contracts, agreements, or arrangements with any federal agency, private foundation, corporation, or other entity from which such receipts accrue.

All such treasurers' reports are matters of public record and shall include without limitation a record of the purposes of any and all gifts and trusts with the sole exception of the names of those donors who request to remain anonymous.

Notwithstanding IC 4-10-11, the auditor of state shall draw warrants to the treasurers of Indiana University, Purdue University, Indiana State University, University of Southern Indiana, Ball State University, Vincennes University, and Ivy Tech State College on the basis of vouchers stating the total amount claimed against each fund and/or account, but not to exceed the legally made appropriations.

Notwithstanding IC 4-12-1-14, for universities and colleges supported in whole or in part by state funds, grant applications and lists of applications need only be submitted upon request to the budget agency for review and approval or disapproval and, unless disapproved by the budget agency, federal grant funds may be requested and spent without approval by the budget agency. Each institution shall retain the applications for a reasonable period of time and submit a list of all grant applications, at least monthly, to the commission for higher education for informational purposes.

For all university special appropriations, an itemized list of intended expenditures, in such form as the governor and the budget agency may specify, shall be submitted to support the allotment request. All budget requests for university special appropriations shall be furnished in a like manner and as a part of the operating budgets of the state universities.

The trustees of Indiana University, the trustees of Purdue University, the trustees of Indiana State University, the trustees of University of Southern Indiana, the trustees of Ball State University, the trustees of Vincennes University, the trustees of Ivy Tech State College, and the directors of IHETS are hereby authorized to accept federal grants, subject to IC 4-12-1.

Fee replacement funds are to be distributed as requested by each institution, on payment due dates, subject to available appropriations.

FOR THE MEDICAL EDUCATION BOARD

FAMILY PRACTICE RESIDENCY FUND

Total Operating Expense	2,249,791	2,249,791
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Of the foregoing appropriations for the medical education board-family practice residency fund, \$1,000,000 each year shall be used for grants for the purpose of improving family practice residency programs serving medically underserved areas.

MEDICAL EDUCATION - INTERN RESIDENCY PROGRAM

Total Operating Expense	1	1
FOR THE COMMISSION FOR HIGHER EDUCATION		
Total Operating Expense	1,478,533	1,478,533
INDIANA CAREER AND POSTSECONDARY ADVANCEMENT CENTER		
Total Operating Expense	866,094	866,094
FOR THE DEPARTMENT OF ADMINISTRATION		
ANIMAL DISEASE DIAGNOSTIC LABORATORY LEASE RENTAL		
Total Operating Expense	1,045,975	1,044,934
FOR THE STATE BUDGET AGENCY		
GIGAPOP PROJECT		
Total Operating Expense	727,638	727,638
SOUTH CENTRAL EDUCATIONAL ALLIANCE		
BEDFORD SERVICE AREA		
Total Operating Expense	280,710	280,710
SOUTHEAST INDIANA EDUCATION SERVICES		
Total Operating Expense	742,468	742,468
The above appropriation for southeast Indiana education services may be expended with the approval of the budget agency after review by the commission for higher education and the budget committee.		
DEGREE LINK		
Total Operating Expense	500,375	500,375
The above appropriations shall be used for the delivery of Indiana State University baccalaureate degree programs at Ivy Tech State College and Vincennes University locations through Degree Link. Distributions shall be made upon the recommendation of the Indiana commission for higher education and with approval by the budget agency after review by the budget committee.		
WORKFORCE CENTERS		
Total Operating Expense	837,000	837,000
The distribution of total university operating and line item appropriations for the 2003-2004 fiscal year to Indiana University, Purdue University, Indiana State University, Ball State University, the University of Southern Indiana, Vincennes University, Ivy Tech State College, the Indiana Higher Education Telecommunications System (IHETS), the Indiana commission for higher education (ICHE), and the budget agency includes one-twelfth (1/12) of the calculated amounts appropriated for fiscal year 2002-2003 by P.L. 291-2001, as adjusted by P.L. 178-2002 and budget agency implementation of the deficit management plan, and eleven-twelfths (11/12) of the appropriations for fiscal year 2003-04.		
The distribution of total university operating and line item appropriations for the 2004-2005 fiscal year to Indiana University, Purdue University, Indiana State University, Ball State University, the University of Southern Indiana, Vincennes University, Ivy Tech State College, IHETS, ICHE, and the budget agency includes one-twelfth (1/12) of the amount appropriated for fiscal year 2003-2004 and eleven-twelfths (11/12) of the amount appropriated for fiscal year 2004-2005.		
FOR THE STATE STUDENT ASSISTANCE COMMISSION		
Total Operating Expense	1,266,044	1,266,044
FREEDOM OF CHOICE GRANTS		
Total Operating Expense	36,428,485	38,041,495
HIGHER EDUCATION AWARD PROGRAM		
Total Operating Expense	87,851,595	98,811,021

NURSING SCHOLARSHIP PROGRAM

Total Operating Expense	402,142	402,142
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HOOSIER SCHOLAR PROGRAM

Total Operating Expense	400,000	400,000
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For the higher education awards and freedom of choice grants made for the 2003-2005 biennium, the following guidelines shall be used, notwithstanding current administrative rule or practice:

- (1) Financial Need: For purposes of these awards, financial need shall be limited to actual undergraduate tuition and fees for the prior academic year as established by the commission.
- (2) Maximum Base Award: The maximum award shall not exceed the lesser of:
 - (A) eighty percent (80%) of actual prior academic year undergraduate tuition and fees; or
 - (B) eighty percent (80%) of the sum of the highest prior academic year undergraduate tuition and fees at any public institution of higher education and the lowest appropriation per full-time equivalent (FTE) undergraduate student at any public institution of higher education.
- (3) Minimum Award: No actual award shall be less than \$200.
- (4) Award Size: A student's maximum award shall be reduced one (1) time:
 - (A) for dependent students, by the expected contribution from parents based upon information submitted on the financial aid application form; and
 - (B) for independent students, by the expected contribution derived from information submitted on the financial aid application form.
- (5) Award Adjustment: The maximum base award may be adjusted by the commission, for any eligible recipient who fulfills college preparation requirements defined by the commission.
- (6) Adjustment: If the dollar amounts of eligible awards exceed appropriations and program reserves, all awards may be adjusted by the commission by reducing the maximum award under subdivision (2)(A) or (2)(B).

For the Hoosier scholar program for the 2003-2005 biennium, each award shall not exceed five hundred dollars (\$500) and shall be made available for one (1) year only. Receipt of this award shall not reduce any other award received under any state funded student assistance program.

STATUTORY FEE REMISSION

Total Operating Expense	13,859,865	16,741,402
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PART-TIME GRANT PROGRAM

Total Operating Expense	5,250,000	5,250,000
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Priority for awards made from the above appropriation shall be given first to eligible students meeting TANF income eligibility guidelines as determined by the family and social services administration and second to eligible students who received awards from the part time grant fund during the 2002-2003 school year. Funds remaining shall be distributed according to procedures established by the commission. The maximum grant that an applicant may receive for a particular academic term shall be established by the commission but shall in no case be greater than a grant for which an applicant would be eligible under IC 20-12-21 if the applicant were a full-time student. The commission shall collect and report to the family and social services administration (FSSA) all data required for FSSA to meet the data collection and reporting requirements in 45 CFR Part 265.

The Family and social services administration, division of family and children shall

apply all qualifying expenditures for the part time grant program toward Indiana's maintenance of effort under the federal Temporary Assistance to Needy Families (TANF) program (45 CFR 260 et seq.).

CONTRACT FOR INSTRUCTIONAL OPPORTUNITIES IN SOUTHEASTERN INDIANA

Total Operating Expense	603,407	603,407
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MINORITY TEACHER SCHOLARSHIP FUND

Total Operating Expense	399,768	399,768
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COLLEGE WORK STUDY PROGRAM

Total Operating Expense	805,189	805,189
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21ST CENTURY ADMINISTRATION

Total Operating Expense	2,586,443	4,086,443
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21ST CENTURY SCHOLAR AWARDS

Total Operating Expense	15,996,500	18,402,449
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Augmentation for 21st Century Scholar Awards allowed from the General Fund.

The commission shall collect and report to the family and social services administration (FSSA) all data required for FSSA to meet the data collection and reporting requirements in 45 CFR Part 265.

Family and social services, division of family and children shall apply all qualifying expenditures for the 21st century scholars program toward Indiana's maintenance of effort under the federal Temporary Assistance to Needy Families (TANF) program (45 CFR 260 et seq.)

NATIONAL GUARD SCHOLARSHIP

Total Operating Expense	2,714,478	3,033,730
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The above appropriations for national guard scholarship and any program reserves existing on June 30, 2003, shall be the total allowable state expenditure for the program in the 2003-2005 biennium. If the dollar amounts of eligible awards exceed appropriations and program reserves, the state student assistance commission shall develop a plan to insure that the total dollar amount does not exceed the above appropriations and any program reserves.

B. ELEMENTARY AND SECONDARY EDUCATION
FOR THE DEPARTMENT OF EDUCATION

STATE BOARD OF EDUCATION

Total Operating Expense	3,152,112	3,152,112
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The foregoing appropriations for the Indiana state board of education are for the education roundtable established by IC 20-1-20.5-3; for the academic standards project to distribute copies of the academic standards and provide teachers with curriculum frameworks; for special evaluation and research projects including national and international assessments; and for state board and roundtable administrative expenses.

SUPERINTENDENT'S OFFICE

Personal Services	678,154	678,154
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Other Operating Expense	1,518,002	1,518,002
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PUBLIC TELEVISION DISTRIBUTION

Total Operating Expense	2,357,563	2,357,563
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These appropriations are for grants for public television. The Indiana Public Broadcasting Stations, Inc. shall submit a distribution plan for the 9 Indiana public education television stations that shall be approved by the budget agency and reviewed by the budget committee. The above appropriation includes the costs of transmission for the "GED-on-TV" program. Of the above appropriations, \$100,000 each year shall be distributed equally among the eight radio stations.

RESEARCH AND DEVELOPMENT PROGRAMS		
Personal Services	88,499	88,499
Other Operating Expense	275,615	275,615
Of the foregoing appropriations for Research and Development Programs, \$100,000 each year shall be used for the Indiana University Education Policy Center.		
DEPUTY SUPERINTENDENT'S OFFICE		
Personal Services	415,649	415,649
Other Operating Expense	145,716	145,716
RILEY HOSPITAL		
Total Operating Expense	27,900	27,900
ADMINISTRATION AND FINANCIAL MANAGEMENT		
Personal Services	2,132,994	2,132,994
Other Operating Expense	313,816	313,816
MOTORCYCLE OPERATOR SAFETY EDUCATION FUND		
Safety Education Fund (IC 20-10.1-7-14)		
Personal Services	119,353	119,353
Other Operating Expense	901,708	901,708
The foregoing appropriations for the motorcycle operator safety education fund are from the motorcycle operator safety education fund created by IC 20-10.1-7-14.		
SCHOOL TRAFFIC SAFETY		
Motor Vehicle Highway Account (IC 8-14-1)		
Personal Services	216,678	216,678
Other Operating Expense	42,311	42,311
Augmentation allowed.		
CENTER FOR SCHOOL ASSESSMENT		
Personal Services	295,106	295,106
Other Operating Expense	759,136	759,136
ACCREDITATION SYSTEM		
Personal Services	461,992	461,992
Other Operating Expense	512,010	512,010
SPECIAL EDUCATION (S-5)		
Total Operating Expense	30,000,000	30,000,000
The foregoing appropriations for special education are made under IC 20-1-6-19.		
CENTER FOR COMMUNITY RELATIONS AND SPECIAL POPULATIONS		
Personal Services	258,099	258,099
Other Operating Expense	61,805	61,805
SPECIAL EDUCATION EXCISE		
Alcoholic Beverage Excise Tax Funds (IC 20-1-6-10)		
Personal Services	330,332	330,332
Augmentation allowed.		
GED-ON-TV PROGRAM		
Other Operating Expense	229,500	229,500
The foregoing appropriation is for grants to provide GED-ON-TV programming. The GED-ON-TV Program shall submit for review by the budget committee an annual report on utilization of this appropriation.		
VOCATIONAL EDUCATION		
Personal Services	1,303,194	1,303,194
Other Operating Expense	78,783	78,783
ADVANCED PLACEMENT PROGRAM		

Other Operating Expense	930,000	930,000
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The above appropriations for the Advanced Placement program are to provide funding for students of accredited public and nonpublic schools.

PSAT PROGRAM

Other Operating Expense	744,000	744,000
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The above appropriations for the PSAT program are to provide funding for students of accredited public and nonpublic schools.

CENTER FOR SCHOOL IMPROVEMENT AND PERFORMANCE

Personal Services	1,728,746	1,728,746
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Other Operating Expense	992,586	992,586
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PRINCIPAL LEADERSHIP ACADEMY

Personal Services	326,637	326,637
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Other Operating Expense	151,224	151,224
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EDUCATION SERVICE CENTERS

Total Operating Expense	1,721,287	1,721,287
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No appropriation made for an education service center shall be distributed to the administering school corporation of the center unless each participating school corporation of the center contracts to pay to the center at least three dollars (\$3) per student for fiscal year 2003-2004 based on the school corporation's ADM count as reported for school aid distribution in the fall of 2002, and at least three dollars (\$3) per student for fiscal year 2004-2005, based on the school corporation's ADM count as reported for school aid distribution beginning in the fall of 2003. Before notification of education service centers of the formula and components of the formula for distributing funds for education service centers, review and approval of the formula and components must be made by the budget agency.

TRANSFER TUITION (STATE EMPLOYEES' CHILDREN AND ELIGIBLE CHILDREN IN MENTAL HEALTH FACILITIES)

Total Operating Expense	199,950	199,950
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The foregoing appropriations for transfer tuition (state employees' children and eligible children in mental health facilities) are made under IC 20-8.1-6.1-6 and IC 20-8.1-6.1-5.

TEACHERS' SOCIAL SECURITY AND RETIREMENT DISTRIBUTION

Total Operating Expense	2,403,792	2,403,792
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The foregoing appropriations shall be distributed by the department of education on a monthly basis and in approximately equal payments to special education cooperatives, area vocational schools, and other governmental entities that received state teachers' Social Security distributions for certified education personnel (excluding the certified education personnel funded through federal grants) during the fiscal year beginning July 1, 1992, and ending June 30, 1993, and for the units under the Indiana state teacher's retirement fund, the amount they received during the 2002-2003 state fiscal year for teachers' retirement. If the total amount to be distributed is greater than the total appropriation, the department of education shall reduce each entity's distribution proportionately.

DISTRIBUTION FOR TUITION SUPPORT

General Fund

Total Operating Expense	2,053,342,946	2,074,488,779
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Property Tax Replacement Fund (IC 6-1.1-21)

Total Operating Expense	1,603,407,054	1,624,011,221
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The foregoing appropriations for distribution for tuition support are to be distributed

for tuition support, special education programs, vocational education programs, at-risk programs, honors grants, and the primetime program in accordance with a statute enacted for this purpose during the 2003 session of the general assembly.

If the above appropriations for distribution for tuition support are more than are required under this SECTION, one-half (1/2) of any excess shall revert to the state general fund and one-half (1/2) of any excess shall revert to the property tax replacement fund.

The above appropriations for tuition support shall be made each calendar year under a schedule set by the budget agency and approved by the governor. However, the schedule shall provide for at least twelve (12) payments, that one (1) payment shall be made at least every forty (40) days, and the aggregate of the payments in each calendar year shall equal the amount required under the statute enacted for the purpose referred to above.

DISTRIBUTION FOR TRANSPORTATION

Total Operating Expense	11,997,909	0
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The distributions for transportation shall be made to each local school corporation in accordance with IC 21-3-3.1 and any pertinent rules.

ADA FLAT GRANT DISTRIBUTION

Total Operating Expense	17,927,299	0
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Distribution to local school corporations shall be based on average daily attendance. The foregoing appropriations for the ADA flat grant distribution account include the appropriation of the common school fund interest balance. The remainder of the above appropriations are provided from the state general fund.

DISTRIBUTION FOR SUMMER SCHOOL

Other Operating Expense	18,360,000	18,360,000
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It is the intent of the 2003 general assembly that the above appropriations for summer school shall be the total allowable state expenditure for such program. Therefore, if the expected disbursements are anticipated to exceed the total appropriation for that state fiscal year, then the department of education shall reduce the distributions proportionately.

EARLY INTERVENTION PROGRAM

Personal Services	13,000	13,000
Other Operating Expense	3,707,000	3,707,000

The above appropriations for the early intervention program are for grants to local school corporations for grant proposals for early intervention programs, including reading recovery and the Waterford method.

READING DIAGNOSTIC ASSESSMENT

Total Operating Expense	1,000,000	1,000,000
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The foregoing appropriations shall be used by the department for the reading diagnostic assessment and subsequent remedial programs or activities. The reading diagnostic assessment program, as approved by the board, is to be made available on a voluntary basis to all Indiana public and non-public school first and second grade students upon the approval of the governing body of school corporations. The board shall determine how the funds will be distributed for the assessment and related remediation. The department or its representative shall provide progress reports on the assessment as requested by the board and the education roundtable.

ADULT EDUCATION DISTRIBUTION

Total Operating Expense	14,000,000	14,000,000
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It is the intent of the 2003 general assembly that the above appropriations for adult

education shall be the total allowable state expenditure for such program. Therefore, if the expected disbursements are anticipated to exceed the total appropriation for a state fiscal year, the department of education shall reduce the distributions proportionately.

NATIONAL SCHOOL LUNCH PROGRAM

Total Operating Expense	5,168,289	5,400,000
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MARION COUNTY DESEGREGATION COURT ORDER

Total Operating Expense	18,200,000	18,200,000
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The foregoing appropriations for court ordered desegregation costs are made pursuant to order No. IP 68-C-225-S of the United States District Court for the Southern District of Indiana. If the sums herein appropriated are insufficient to enable the state to meet its obligations, then there are hereby appropriated from the state general fund such further sums as may be necessary for such purpose.

TEXTBOOK REIMBURSEMENT

Total Operating Expense	19,900,000	19,900,000
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Before a school corporation or an accredited non-public school may receive a distribution under the textbook reimbursement program, the school corporation or accredited non-public school shall provide to the department the requirements established in IC 20-8.1-9-2. The department shall provide to the family and social services administration (FSSA) all data required for FSSA to meet the data collection reporting requirement in 45 CFR Part 265. Family and social services, division of family and children, shall apply all qualifying expenditures for the textbook reimbursement program toward Indiana's maintenance of effort under the federal Temporary Assistance to Needy Families (TANF) program (45 CFR 260 et seq.)

TRANSPORTATION FOR SPECIAL AND VOCATIONAL EDUCATION

Total Operating Expense	4,450,050	0
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The distribution of these appropriations shall be made in accordance with IC 21-3-3.1.

FULL DAY KINDERGARTEN

Total Operating Expense	8,500,000	8,500,000
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The above appropriations for full-day kindergarten are available to a school corporation that applies to the department of education for funding of full day kindergarten. The amount available to a school corporation equals the amount appropriated divided by the statewide total ADM (as defined in IC 21-3-1.6-1.1) for the current year, and then multiplied by school corporation's ADM (as defined in IC 21-3-1.6-1.1) for the current year. A school corporation that is awarded a grant must provide to the department of education a financial report stating how the funds were spent. Any unspent funds at the end of the biennium must be returned to the state by the school corporation.

TESTING/REMEDIATION

Other Operating Expense	31,410,450	31,410,450
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Prior to notification of local school corporations of the formula and components of the formula for distributing funds for remediation, review and approval of the formula and components shall be made by the budget agency. With the approval of the governor and the budget agency, the above appropriations for school assessment testing/remediation may be augmented from revenues accruing to the secondary market sale fund established by IC 20-12-21.2-10.

The above appropriation for Testing/Remediation shall be used by school corporations to provide remediation programs for students who attend public and nonpublic schools. For purposes of tuition support, these students are not to be counted in the average daily membership.

GRADUATION EXAM REMEDIATION

Other Operating Expense	4,958,910	4,958,910
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Prior to notification of local school corporations of the formula and components of the formula for distributing funds for graduation exam remediation, review and approval of the formula and components shall be made by the budget agency. With the approval of the governor and the budget agency, the above appropriations for school assessment testing/remediation may be augmented from revenues accruing to the secondary market sale fund established by IC 20-12-21.2-10.

SPECIAL EDUCATION PRESCHOOL

Total Operating Expense	27,173,300	27,173,300
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The above appropriations shall be distributed to guarantee a minimum of \$2,750 per child enrolled in special education preschool programs from state and local sources in school corporations that levy a \$0.01 per \$100 assessed valuation tax rate for this purpose. It is the intent of the 2003 general assembly that the above appropriations for special education preschool shall be the total allowable expenditure for such program. Therefore, if the expected disbursements are anticipated to exceed the total appropriation for that state fiscal year, then the department of education shall reduce the distributions proportionately.

NON-ENGLISH SPEAKING PROGRAM

Other Operating Expense	700,000	700,000
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The above appropriations for the non-English speaking program are for pupils who have a primary language other than English and limited English proficiency, as determined by using a standard proficiency examination that has been approved by the department of education.

The grant amount is seventy-five dollars (\$75) per pupil. It is the intent of the 2003 general assembly that the above appropriations for the non-English speaking program shall be the total allowable state expenditure for the program. If the expected distributions are anticipated to exceed the total appropriations for the state fiscal year, the department of education shall reduce each school corporation's distribution proportionately.

GIFTED AND TALENTED EDUCATION PROGRAM

Personal Services	180,906	180,906
Other Operating Expense	5,649,354	5,649,354

DISTRIBUTION FOR ADULT VOCATIONAL EDUCATION

Total Operating Expense	250,000	250,000
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The distribution for adult vocational education programs shall be made in accordance with the state plan for vocational education.

PRIMETIME

Personal Services	169,291	169,291
Other Operating Expense	34,467	34,467

DRUG FREE SCHOOLS

Personal Services	51,137	51,137
Other Operating Expense	20,093	20,093

PROFESSIONAL DEVELOPMENT DISTRIBUTION

Other Operating Expense	13,812,500	13,812,500
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The foregoing appropriations for professional development distributions include schools defined under IC 20-10.2-2-11.

ALTERNATIVE SCHOOLS

Total Operating Expense	6,375,000	6,375,000
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The board is to submit recommendations to the budget committee for review before May 1, 2004, for implementation in state fiscal year 2004-2005.

**EDUCATIONAL TECHNOLOGY PROGRAM AND FUND
(INCLUDING 4R'S TECHNOLOGY GRANT PROGRAM)**

Total Operating Expense	2,100,000	2,100,000
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Of the foregoing appropriations, \$825,000 shall be allocated to the buddy system each state fiscal year during the biennium. Of the foregoing appropriations, \$800,000 shall be allocated to the Web Academy during each state fiscal year of the biennium. The remaining amounts shall be allocated for technology programs and resources for kindergarten through twelfth grade, and the operation of the office of the special assistant to the superintendent of public instruction for technology.

TECHNOLOGY PLAN GRANT PROGRAM (IC 20-10.1-25.3)

Total Operating Expense		5,000,000
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Notwithstanding IC 20-10.1-25.3-9, the department of education may adjust the grant amount to reflect available funding.

FOR THE INDIANA STATE TEACHERS' RETIREMENT FUND

POSTRETIREMENT PENSION INCREASES

Other Operating Expense	39,229,000	36,532,000
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The appropriations for postretirement pension increases are made for those benefits and adjustments provided in IC 21-6.1-6 and IC 5-10.2-5.

TEACHERS' RETIREMENT FUND DISTRIBUTION

General Fund

Other Operating Expense	266,300,000	310,300,000
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Augmentation allowed.

If the amount actually required under the pre-1996 account of the teachers' retirement fund for actual benefit payments is greater than the above appropriations plus the transfer from the pension stabilization fund for pension fund contributions, after notice to the governor and the budget agency of the deficiency, the above appropriations shall be augmented from the pension stabilization fund established by IC 21-6.1-2-8. If the amount actually required under the pre-1996 account of the teachers' retirement fund for actual benefit payments for a year is less than the above appropriations plus the transfer from the pension stabilization fund for pension fund contributions for the year, the excess shall be transferred to the general fund.

The board of the teachers' retirement fund shall transfer \$190,000,000 in each of fiscal year 2003-2004 and fiscal year 2004-2005 from the pension stabilization fund (IC 21-6.1-2) to the teachers' retirement fund (IC 21-6.1-2).

FOR THE PROFESSIONAL STANDARDS BOARD - ADMINISTRATION

Personal Services	2,172,556	2,168,448
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Other Operating Expense	4,633,968	4,638,076
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Each mentor teacher is entitled to a maximum annual stipend of \$600 to be paid from the foregoing appropriations.

There is created the professional standards board licensing fund to be administered by the professional standards board. The fund shall consist of fee revenues collected under the provisions of IC 20-1-1.4-7. Money in the fund does not revert at the end of the state fiscal year. Money in the fund is continuously appropriated for use by the board for administrative expenses in relation to carrying out its duties under the provisions of IC 20-1-1.4-7.

The above appropriations for professional standards board administration are in addition to the appropriation made to the professional standards licensing fund established

in this SECTION.

C. OTHER EDUCATION

FOR THE EDUCATION EMPLOYMENT RELATIONS BOARD

Personal Services	682,944	682,944
Other Operating Expense	41,838	41,838

PUBLIC EMPLOYEE RELATIONS BOARD

Total Operating Expense	32,550	32,550
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FOR THE STATE LIBRARY

Personal Services	2,690,045	2,690,045
Other Operating Expense	752,550	752,550

DISTRIBUTION TO PUBLIC LIBRARIES

Other Operating Expense	607,936	607,936
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The foregoing appropriations for distribution to public libraries shall be distributed among the public libraries of the state of Indiana under IC 4-23-7.1. However, a public library district that does not provide for the issuance of library cards free of charge or for a fee to all individuals who reside in the county in which that public library district is located shall not be considered an eligible public library district in determining the amounts to be distributed under IC 4-23-7.1 and is not entitled to a distribution under IC 4-23-7.1.

INDIANA COOPERATIVE LIBRARY SERVICES AUTHORITY

Total Operating Expense	2,408,848	2,408,848
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ACADEMY OF SCIENCE

Total Operating Expense	8,811	8,811
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FOR THE ARTS COMMISSION

Personal Services	320,866	320,866
Other Operating Expense	3,296,471	3,296,471

FOR THE HISTORICAL BUREAU

Personal Services	364,618	364,618
Other Operating Expense	16,902	16,902

HISTORICAL MARKER PROGRAM

Total Operating Expense		35,000
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FOR THE COMMISSION ON PROPRIETARY EDUCATION

Personal Services	389,349	389,349
Other Operating Expense	37,175	37,175

2003-224-10

SECTION 10.

DISTRIBUTIONS

FOR THE PROPERTY TAX REPLACEMENT FUND BOARD

Property Tax Replacement Fund (IC 6-1.1-21)

Total Operating Expense	1,933,744,068	2,048,400,451
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Adjustments may be made to this appropriation under IC 6-1.1-21-4.

FOR THE FAMILY AND SOCIAL SERVICES ADMINISTRATION

WELFARE TAX LEVY REPLACEMENT FUND

From the General Fund

Total Operating Expense	27,522,204	27,522,204
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From Excise and Financial Institution Taxes

Total Operating Expense	6,063,529	6,063,529
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Augmentation allowed.

From Child Support Collections		
Total Operating Expense	2,000,000	2,000,000
Augmentation allowed.		

2003-224-11

SECTION 11.

The following allocations of federal funds are available for vocational and technical education under the Carl D. Perkins Vocational and Technical Education Act of 1998 (20 U.S.C. 2301, et seq. for Vocational and Technical Education) (20 U.S.C. 2371 for Tech Prep Education). These funds shall be received by the department of workforce development, commission on vocational and technical education, and shall be allocated by the budget agency after consultation with the commission on vocational and technical education, the department of education, the commission for higher education, and the department of correction. Funds shall be allocated to these agencies in accordance with the allocations specified below:

ADMINISTRATION

494,923	494,923
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STATE PROGRAMS AND LEADERSHIP

2,664,322	2,664,322
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SECONDARY VOCATIONAL PROGRAMS

14,931,111	14,931,111
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POSTSECONDARY VOCATIONAL PROGRAMS

8,552,863	8,552,863
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TECHNOLOGY - PREPARATION EDUCATION

2,499,812	2,499,812
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CAREER RESOURCE NETWORK STATE GRANTS

150,963	150,963
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2003-224-12

SECTION 12.

In accordance with IC 20-1-18.3, the budget agency, with the advice of the commission on vocational and technical education and the budget committee, may augment or reduce an allocation of federal funds made under SECTION 11 of this act.

2003-224-13

SECTION 13.

Utility bills for the month of June, travel claims covering the period June 16 to June 30, payroll for the period of the last half of June, any interdepartmental bills for supplies or services for the month of June, and any other miscellaneous expenses incurred during the period June 16 to June 30 shall be charged to the appropriation for the succeeding year. No interdepartmental bill shall be recorded as a refund of expenditure to any current year allotment account for supplies or services rendered or delivered at any time during the preceding June period.

2003-224-14

SECTION 14.

The budget agency, under IC 4-10-11, IC 4-12-1-13, and IC 4-13-1, in cooperation with the Indiana department of administration, may fix the amount of reimbursement for traveling expenses (other than transportation) for travel within the limits of

Indiana. This amount may not exceed actual lodging and miscellaneous expenses incurred. A person in travel status, as defined by the state travel policies and procedures established by the Indiana department of administration and the budget agency, is entitled to a meal allowance not to exceed during any twenty-four (24) hour period the standard meal allowances established by the federal Internal Revenue Service. All appropriations provided by this act or any other statute, for traveling and hotel expenses for any department, officer, agent, employee, person, trustee, or commissioner, are to be used only for travel within the state of Indiana, unless those expenses are incurred in traveling outside the state of Indiana on trips that previously have received approval as required by the state travel policies and procedures established by the Indiana department of administration and the budget agency. With the required approval, a reimbursement for out-of-state travel expenses may be granted in an amount not to exceed actual lodging and miscellaneous expenses incurred. A person in travel status is entitled to a meal allowance not to exceed during any twenty-four (24) hour period the standard meal allowances established by the federal Internal Revenue Service for properly approved travel within the continental United States and a minimum of \$50 during any twenty-four (24) hour period for properly approved travel outside the continental United States. However, while traveling in Japan, the minimum meal allowance shall not be less than \$90 for any twenty-four (24) hour period. While traveling in Korea and Taiwan, the minimum meal allowance shall not be less than \$85 for any twenty-four (24) hour period; while traveling in Singapore, China, Great Britain, Germany, the Netherlands, and France, the minimum meal allowance shall not be less than \$65 for any twenty-four (24) hour period.

In the case of the state supported institutions of postsecondary education, approval for out-of-state travel may be given by the chief executive officer of the institution, or the chief executive officer's authorized designee, for the chief executive officer's respective personnel.

Before reimbursing overnight travel expenses, the auditor of state shall require documentation as prescribed in the state travel policies and procedures established by the Indiana department of administration and the budget agency. No appropriation from any fund may be construed as authorizing the payment of any sum in excess of the standard mileage rates for personally owned transportation equipment established by the federal Internal Revenue Service when used in the discharge of state business. The Indiana department of administration and the budget agency may adopt policies and procedures relative to the reimbursement of travel and moving expenses of new state employees and the reimbursement of travel expenses of prospective employees who are invited to interview with the state.

2003-224-15

SECTION 15.

Notwithstanding IC 4-10-11-2.1, the salary per diem of members of boards, commissions, and councils who are entitled to a salary per diem is \$50 per day. However, members of boards, commissions, or councils who receive an annual or a monthly salary paid by the state are not entitled to the salary per diem provided in IC 4-10-11-2.1.

2003-224-16

SECTION 16.

No payment for personal services shall be made by the auditor of state unless the payment has been approved by the budget agency or the designee of the budget agency.

2003-224-17

SECTION 17.

No warrant for operating expenses, capital outlay, or fixed charges shall be issued to any department or an institution unless the receipts of the department or institution have been deposited into the state treasury for the month. However, if a department or an institution has more than \$10,000 in daily receipts, the receipts shall be deposited into the state treasury daily.

2003-224-18

SECTION 18.

In case of loss by fire or any other cause involving any state institution or department, the proceeds derived from the settlement of any claim for the loss shall be deposited in the state treasury, and the amount deposited is hereby reappropriated to the institution or department for the purpose of replacing the loss. If it is determined that the loss shall not be replaced, any funds received from the settlement of a claim shall be deposited into the state general fund.

2003-224-19

SECTION 19.

If an agency has computer equipment in excess of the needs of that agency, then the excess computer equipment may be sold under the provisions of surplus property sales, and the proceeds of the sale or sales shall be deposited in the state treasury. The amount so deposited is hereby reappropriated to that agency for other operating expenses of the then current year, if approved by the director of the budget agency.

2003-224-20

SECTION 20.

If any state penal or benevolent institution other than the Indiana state prison, Pendleton correctional facility, or Putnamville correctional facility shall, in the operation of its farms, produce products, or commodities in excess of the needs of the institution, the surplus may be sold through the division of industries and farms, the director of the supply division of the Indiana department of administration, or both. The proceeds of any such sale or sales shall be deposited in the state treasury. The amount deposited is hereby reappropriated to the institution for expenses of the then current year if approved by the director of the budget agency. The exchange between state penal and benevolent institutions of livestock for breeding purposes only is hereby authorized at valuations agreed upon between the superintendents or wardens of the institutions. Capital outlay expenditures may be made from the institutional industries and farms revolving fund if approved by the budget agency and the governor.

2003-224-21

SECTION 21.

This act does not authorize any rehabilitation and repairs to any state buildings, nor does it allow that any obligations be incurred for lands and structures, without the prior approval of the budget director or the director's designee. This SECTION does not apply to contracts for the construction or maintenance of roads and bridges, to the acquisition of rights-of-way for roads or bridges, or to the state universities supported in whole or in part by state funds.

2003-224-22**SECTION 22.**

If an agency has an annual appropriation fixed by law, and if the agency also receives an appropriation in this act for the same function or program, the appropriation in this act supersedes any other appropriations and is the total appropriation for the agency for that program or function.

2003-224-23**SECTION 23.**

The balance of any appropriation or funds heretofore placed or remaining to the credit of any division of the state of Indiana, and any appropriation or funds provided in this act placed to the credit of any division of the state of Indiana, the powers, duties, and functions whereof are assigned and transferred to any department for salaries, maintenance, operation, construction, or other expenses in the exercise of such powers, duties, and functions, shall be transferred to the credit of the department to which such assignment and transfer is made, and the same shall be available for the objects and purposes for which appropriated originally.

2003-224-24**SECTION 24.**

The director of the division of procurement of the Indiana department of administration, or any other person or agency authorized to make purchases of equipment, shall not honor any requisition for the purchase of an automobile that is to be paid for from any appropriation made by this act or any other act, unless the following facts are shown to the satisfaction of the commissioner of the department of administration or the commissioner's designee.

(1) In the case of an elected state officer, it shall be shown that the duties of the office require driving about the state of Indiana in the performance of official duty.

(2) In the case of department or commission heads, it shall be shown that the statutory duties imposed in the discharge of the office require traveling a greater distance than one thousand (1,000) miles each month or that they are subject to official duty call at all times.

(3) In the case of employees, it shall be shown that the major portion of the duties assigned to the employee require travel on state business in excess of one thousand (1,000) miles each month, or that the vehicle is identified by the agency as an integral part of the job assignment. In computing the number of miles required to be driven by a department head or an employee, the distance between the individual's home and office or designated official station is not to be considered as a part of the total. Department heads shall annually submit justification for the continued assignment of each vehicle in their department, which shall be reviewed by the commissioner of the Indiana department of administration, or the commissioner's designee. There shall be an insignia permanently affixed on each side of all state owned cars, designating the cars as being state owned. However, this requirement does not apply to state owned cars driven by elected state officials or to cases where the commissioner of the Indiana department of administration or the commissioner's designee determines that affixing insignia on state owned cars would hinder or handicap the persons driving the cars in the performance of their official duties.

2003-224-25**SECTION 25.**

When budget agency approval or review is required under this act, the budget agency may refer to the budget committee any budgetary or fiscal matter for an advisory recommendation. The budget committee may hold hearings and take any actions authorized by IC 4-12-1-11, and may make an advisory recommendation to the budget agency.

2003-224-26**SECTION 26.**

The governor of the state of Indiana is solely authorized to accept on behalf of the state any and all federal funds available to the state of Indiana. Federal funds received under this SECTION are appropriated for purposes specified by the federal government, subject to allotment by the budget agency. The provisions of this SECTION and all other SECTIONS concerning the acceptance, disbursement, review, and approval of any grant, loan, or gift made by the federal government or any other source to the state or its agencies and political subdivisions shall apply, notwithstanding any other law.

2003-224-27**SECTION 27.**

Federal funds received as revenue by a state agency or department are not available to the agency or department for expenditure until allotment has been made by the budget agency under IC 4-12-1-12(d).

2003-224-28**SECTION 28.**

A contract or an agreement for personal services or other services may not be entered into by any agency or department of state government without the approval of the budget agency or the designee of the budget director. Each demand for payment submitted by the agency or department to the auditor of state by claim voucher under such contracts or agreements shall be accompanied by a copy of the budget agency approval, or approval of any agency to whom the budget agency delegated signature authority, and no payment shall be made by the auditor of state without such approval. This SECTION does not apply to any contract entered into by an agency or department of state government that is the result of a public works project contract under IC 4-13.6.

2003-224-29**SECTION 29.**

Except in those cases where a specific appropriation has been made to cover the payments for any of the following, the auditor of state shall transfer, from the personal services appropriations for each of the various agencies and departments, necessary payments for Social Security, public employees' retirement, health insurance, life insurance, and any other similar payments directed by the budget agency.

2003-224-30**SECTION 30.**

Subject to SECTION 25 of this act as it relates to the budget committee, the budget agency with the approval of the governor may withhold allotments of any or all appropriations contained in this act for the 2003-2005 biennium, if it is considered necessary to

do so in order to prevent a deficit financial situation.

2003-224-31

SECTION 31.

The following appropriation is made for FY 2002-2003 in addition to those found in P.L. 291-2001:

From the General Fund

Distribution for Tuition Support \$19,400,000

2003-224-32

SECTION 32.

CONSTRUCTION

For the 2003-2005 biennium, the following amounts, from the funds listed as follows, are hereby appropriated to provide for the construction, reconstruction, rehabilitation, repair, purchase, rental, and sale of state properties, capital lease rentals and the purchase and sale of land, including equipment for such properties.

State General Fund - Lease Rentals

237,980,875

State General Fund - Construction

162,463,891

State Police Building Commission Fund (IC 9-1-2-1.5)

3,000,000

Law Enforcement Academy Building Fund (IC 5-2-1-13)

841,000

Cigarette Tax Fund (IC 6-7-1-29.1)

3,700,000

Soldiers' and Sailors' Children's Home Construction Fund (IC 16-33-4-10)

1,000,000

Veterans' Home Construction Fund (IC 10-17-9-9)

4,382,331

Post War Construction Fund (IC 7.1-4-8-1)

38,100,341

Industry and Farm Products Revolving Fund (IC 11-10-6-6)

3,252,207

Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)

Regional Health Care Construction Account (IC 4-12-8.5)

2,900,000

TOTAL 457,620,644

The allocations provided under this SECTION are made from the state general fund, unless specifically authorized from other designated funds by this act. The budget agency, with the approval of the governor, in approving the allocation of funds pursuant to this SECTION, shall consider, as funds are available, allocations for the following specific uses, purposes, and projects:

A. GENERAL GOVERNMENT

FOR THE INDIANA SENATE

Senate Renovations 250,000

FOR THE STATE BUDGET AGENCY

Health and Safety Contingency Fund 1,600,000

Indiana University-Purdue University at Fort Wayne

- Northeast Indiana Innovation Center	5,000,000
Qualitech Lease Payment	5,717,877
Heartland Steel Lease Payment	2,386,515
Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)	
Regional Health Care Construction Account (IC 4-12-8.5)	
State Operated Health Facilities	2,900,000
DEPARTMENT OF ADMINISTRATION - PROJECTS	
Preventive Maintenance	4,811,020
Repair and Rehabilitation	4,000,000
DEPARTMENT OF ADMINISTRATION - LEASES	
IDOA Parking Facilities Capital Lease	13,222,641
Indiana Government Center North	32,486,999
Indiana Government Center South	33,882,357
Indiana State Museum	12,566,639
Wabash Valley Correctional Facility	28,251,175
Rockville Correctional Facility	8,665,153
Miami Correctional Facility	30,434,507
Pendleton Juvenile Correctional Facility	9,416,207
New Castle Correctional Facility	18,466,230
B. PUBLIC SAFETY	
(1) LAW ENFORCEMENT	
INDIANA STATE POLICE	
State Police Building Commission Fund (IC 9-1-2-1.5)	
Preventive Maintenance	1,080,050
Repair and Rehabilitation	1,919,950
LAW ENFORCEMENT TRAINING BOARD	
Law Enforcement Academy Building Fund (IC 5-2-1-13)	
Preventive Maintenance	353,000
Repair and Rehabilitation	488,000
ADJUTANT GENERAL	
Preventive Maintenance	250,000
Repair and Rehabilitation	1,637,900
(2) CORRECTIONS	
DEPARTMENT OF CORRECTION - PROJECTS	
Repair and Rehabilitation	516,735
Post War Construction Fund (IC 7.1-4-8-1)	
Repair and Rehabilitation	1,350,000
CORRECTIONAL UNITS	
Preventive Maintenance	420,000
Post War Construction Fund (IC 7.1-4-8-1)	
Repair and Rehabilitation	10,526,935
STATE PRISON	
Preventive Maintenance	1,161,322
Post War Construction Fund (IC 7.1-4-8-1)	
Repair and Rehabilitation	5,008,595
PENDLETON CORRECTIONAL FACILITY	
Preventive Maintenance	996,396
Post War Construction Fund (IC 7.1-4-8-1)	
Repair and Rehabilitation	2,710,103

WOMEN'S PRISON	
Preventive Maintenance	273,000
Post War Construction Fund (IC 7.1-4-8-1)	
Repair and Rehabilitation	3,375,000
NEW CASTLE CORRECTIONAL FACILITY	
Preventive Maintenance	660,660
PUTNAMVILLE CORRECTIONAL FACILITY	
Preventive Maintenance	843,022
Repair and Rehabilitation	295,713
Post War Construction Fund (IC 7.1-4-8-1)	
Repair and Rehabilitation	1,896,230
PLAINFIELD JUVENILE CORRECTIONAL FACILITY	
Preventive Maintenance	543,947
Repair and Rehabilitation	5,136,800
Post War Construction Fund (IC 7.1-4-8-1)	
Repair and Rehabilitation	979,788
INDIANAPOLIS JUVENILE CORRECTIONAL FACILITY	
Preventive Maintenance	325,146
Post War Construction Fund (IC 7.1-4-8-1)	
Repair and Rehabilitation	1,544,500
BRANCHVILLE CORRECTIONAL FACILITY	
Preventive Maintenance	344,870
Post War Construction Fund (IC 7.1-4-8-1)	
Repair and Rehabilitation	394,650
WESTVILLE CORRECTIONAL FACILITY	
Preventive Maintenance	1,191,891
Post War Construction Fund (IC 7.1-4-8-1)	
Repair and Rehabilitation	2,878,365
ROCKVILLE CORRECTIONAL FACILITY	
Preventive Maintenance	344,870
PLAINFIELD CORRECTIONAL FACILITY	
Preventive Maintenance	575,751
Post War Construction Fund (IC 7.1-4-8-1)	
Repair and Rehabilitation	2,321,800
RECEPTION-DIAGNOSTIC CENTER	
Preventive Maintenance	216,472
Post War Construction Fund (IC 7.1-4-8-1)	
Preventive Maintenance	814,280
PEN PRODUCTS	
Industry and Farm Products Revolving Fund (IC 11-10-6-6)	
Preventive Maintenance	110,292
Modification of CIF Food Processing Plt.	3,141,915
CORRECTIONAL INDUSTRIAL FACILITY	
Preventive Maintenance	520,023
Post War Construction Fund (IC 7.1-4-8-1)	
Repair and Rehabilitation	1,057,700
WORK RELEASE CENTERS	
Preventive Maintenance	100,732
Post War Construction Fund (IC 7.1-4-8-1)	

Repair and Rehabilitation	70,480
WABASH VALLEY CORRECTIONAL FACILITY	
Preventive Maintenance	833,560
Post War Construction Fund (IC 7.1-4-8-1)	
Repair and Rehabilitation	3,171,915
MIAMI CORRECTIONAL FACILITY	
Preventive Maintenance	521,400
PENDLETON JUVENILE CORRECTIONAL FACILITY	
Preventive Maintenance	364,000
C. CONSERVATION AND ENVIRONMENT	
DEPARTMENT OF NATURAL RESOURCES - GENERAL ADMINISTRATION	
Repair and Rehabilitation	1,000,000
FISH AND WILDLIFE	
Preventive Maintenance	1,810,863
Repair and Rehabilitation	3,372,000
FORESTRY	
Preventive Maintenance	1,884,200
Repair and Rehabilitation	5,119,650
HISTORIC SITES	
Preventive Maintenance	331,586
Repair and Rehabilitation	2,000,000
NATURE PRESERVES	
Preventive Maintenance	109,200
Repair and Rehabilitation	1,093,000
OUTDOOR RECREATION	
Preventive Maintenance	33,306
Repair and Rehabilitation	575,000
STATE PARKS AND RESERVOIR MANAGEMENT	
Preventive Maintenance	1,562,774
Repair and Rehabilitation	29,400,000
Land Acquisition for Prophetstown State Park	1,000,000
Cigarette Tax Fund (IC 6-7-1-29.1)	
Preventive Maintenance	3,700,000
DIVISION OF WATER	
Preventive Maintenance	315,000
Lake Shafer Dredging	400,000
Repair and Rehabilitation	925,000
ENFORCEMENT	
Preventive Maintenance	207,480
Repair and Rehabilitation	500,000
STATE MUSEUM	
Preventive Maintenance	600,000
OIL AND GAS	
Oil&Gas - Partnership Programs	200,000
ENTOMOLOGY	
Repair and Rehabilitation	200,000
WAR MEMORIALS COMMISSION	
Preventive Maintenance	1,421,494
Repair and Rehabilitation	2,754,503

LITTLE CALUMET RIVER BASIN COMMISSION	
Match for Federal Earmarks	7,000,000
D. ECONOMIC DEVELOPMENT	
DEPARTMENT OF COMMERCE	
Airport Facilities Lease	40,513,245
Aviation Technology	1,971,330
E. TRANSPORTATION	
AIRPORT DEVELOPMENT	
Airport Development	1,200,000
The foregoing allocation for the Indiana department of transportation is for airport development and shall be used for the purpose of assisting local airport authorities and local units of government in matching available federal funds under the airport improvement program and for matching federal grants for airport planning and for the other airport studies. Matching grants of aid shall be made in accordance with the approved annual capital improvements program of the Indiana department of transportation and with the approval of the governor and the budget agency.	
GARY/CHICAGO AIRPORT	
Infrastructure Upgrades	2,000,000
F. FAMILY AND SOCIAL SERVICES, HEALTH, AND VETERANS' AFFAIRS	
(1) FAMILY AND SOCIAL SERVICES ADMINISTRATION	
FSSA CONSTRUCTION	
Repair and Rehabilitation	4,904,468
EVANSVILLE PSYCHIATRIC CHILDREN'S CENTER	
Preventive Maintenance	45,632
Repair and Rehabilitation	50,000
EVANSVILLE STATE HOSPITAL	
Preventive Maintenance	756,756
Repair and Rehabilitation	1,629,450
MADISON STATE HOSPITAL	
Preventive Maintenance	971,409
Repair and Rehabilitation	1,049,110
LOGANSPOUT STATE HOSPITAL	
Preventive Maintenance	963,144
Repair and Rehabilitation	4,697,361
RICHMOND STATE HOSPITAL	
Preventive Maintenance	1,210,724
Repair and Rehabilitation	1,050,400
LARUE CARTER MEMORIAL HOSPITAL	
Preventive Maintenance	1,484,134
Repair and Rehabilitation	1,500,000
FORT WAYNE STATE DEVELOPMENTAL CENTER	
Preventive Maintenance	1,424,803
Repair and Rehabilitation	3,000,000
MUSCATATUCK STATE DEVELOPMENTAL CENTER	
Preventive Maintenance	1,257,449
Repair and Rehabilitation	1,000,000
(2) PUBLIC HEALTH	
DEPARTMENT OF HEALTH	
Preventive Maintenance	130,000

SILVERCREST CHILDREN'S DEVELOPMENT CENTER	
Preventive Maintenance	161,140
SCHOOL FOR THE BLIND	
Preventive Maintenance	565,714
Repair and Rehabilitation	2,750,000
SCHOOL FOR THE DEAF	
Preventive Maintenance	553,120
Repair and Rehabilitation	2,881,907
SOLDIERS' AND SAILORS' CHILDREN'S HOME	
Preventive Maintenance	350,446
Repair and Rehabilitation	1,730,000
Soldiers' and Sailors' Children's Home Construction Fund (IC 16-33-4-10)	
Repair and Rehabilitation	1,000,000
(3) VETERANS' AFFAIRS	
INDIANA VETERANS' HOME	
Veterans' Home Construction Fund (IC 10-6-1-9)	
Preventive Maintenance	697,331
Repair and Rehabilitation	3,685,000
G. EDUCATION	
HIGHER EDUCATION	
INDIANA UNIVERSITY - TOTAL SYSTEM	
General Repair and Rehab	10,466,860
PURDUE UNIVERSITY - TOTAL SYSTEM	
General Repair and Rehab	8,305,775
INDIANA STATE UNIVERSITY	
General Repair and Rehab	2,061,338
UNIVERSITY OF SOUTHERN INDIANA	
General Repair and Rehab	400,414
BALL STATE UNIVERSITY	
General Repair and Rehab	2,621,019
VINCENNES UNIVERSITY	
General Repair and Rehab	1,004,205
IVY TECH STATE COLLEGE	
General Repair and Rehab	736,826

2003-224-33

SECTION 33.

- (a) There is appropriated to the budget agency the following sums from the state general fund for the purpose of improving high speed data access and communications capability statewide by linking fiber optic infrastructure to eleven (11) areas around the state (I-Light Fiber Optic System) in the following periods:
- (1) For FY 2003-2004, five million dollars (\$5,000,000).
 - (2) For FY 2004-2005, five million dollars (\$5,000,000).
- (b) In selecting contractors to implement and operate the I-Light Fiber Optic System, the budget agency shall use a competitive procedure that ensures that the appropriated funds are used in the most efficient and effective manner.
- (c) This SECTION expires July 1, 2006.

2003-224-34

SECTION 34.

Notwithstanding the provisions of P.L. 291-2001, any part of the appropriations for the 2001-2003 biennium for the personal services/fringe benefits contingency fund or the employee recruitment and retention fund in excess of \$30,000,000 that remains on June 30, 2003 does not revert to the state general fund, but remains available for expenditure.

2003-224-35

SECTION 35.

The budget agency may employ one (1) or more architects or engineers to inspect construction, rehabilitation, and repair projects covered by the appropriations in this act or previous acts designated in this act.

2003-224-36

SECTION 36.

If any part of a construction or rehabilitation and repair appropriation made by this act or any previous acts has not been allotted or encumbered before the expiration of two (2) biennia, the budget agency may determine that the balance of the appropriation is not available for allotment. The appropriation may be terminated and the balance may revert to the fund from which the original appropriation was made.

2003-224-37

SECTION 37.

The budget agency may retain balances in the mental health fund at the end of any fiscal year to ensure there are sufficient funds to meet appropriations for state developmental centers in any subsequent year.

2003-224-38

SECTION 38.

If the budget director makes a determination at any time during either fiscal year of the biennium that the executive branch of state government cannot meet its statutory obligations due to insufficient funds in the state general fund, then notwithstanding IC 4-10-18, the budget agency, with the approval of the governor and after review by the budget committee, may transfer from the counter-cyclical revenue and economic stabilization fund to the state general fund an amount necessary to maintain a positive balance in the state general fund.

2003-224-48

(1) on or after the date that the riverboat implemented flexible scheduling under IC 4-33-6-21; and

(2) before July 1, 2003.

(b) The definitions in IC 4-33-2 apply throughout this SECTION.

(c) The general assembly does not acquiesce in any interpretation of IC 4-33-13-1.5 and P.L.292-2002(ss), SECTION 205 that excludes adjusted gross receipts of a riverboat received after June 30, 2002, and before the date that the riverboat implemented flexible scheduling under IC 4-33-6-21 from the determination of which wagering tax rate to apply to adjusted gross receipts of the riverboat received on or after the riverboat implemented flexible scheduling under IC 4-33-6-21.

(d) Wagering taxes imposed under IC 4-33-13-1.5 on adjusted gross receipts received on or after the date that the riverboat implemented flexible scheduling under IC 4-33-6-21 must be calculated and deposited using a graduated wagering tax rate selected (as stated in IC 4-33-13-1.5) through a calculation that includes "adjusted gross receipts received during the period beginning July 1 of each year and ending June 30 of the following year".

(e) All penalties and interest otherwise due from a riverboat that underpaid the amount of wagering tax due after June 30, 2002, and before May 1, 2003, as a result of a failure to include adjusted gross receipts received by the riverboat after June 30, 2002, and before the date that the riverboat implemented flexible scheduling under IC 4-33-6-21 in the determination of which wagering tax rate to apply to adjusted gross receipts received after the riverboat implemented flexible scheduling under IC 4-33-6-21 are waived if the riverboat pays the unpaid balance due in two (2) equal installments on the following dates:

(1) July 1, 2003.

2003-224-65

SECTION 65. The office of Medicaid policy and planning shall adopt emergency rules under IC 4-22-2-37.1 to achieve the reductions needed to avoid expenditures exceeding the Medicaid appropriation made by this act in the line item appropriation to the FAMILY AND SOCIAL SERVICES ADMINISTRATION, MEDICAID - CURRENT OBLIGATIONS. To the extent that reductions are made to optional Medicaid services as set forth in 42 U.S.C. 1396 et seq., the reductions may be accomplished on a pro-rata basis with each optional service being reduced by a proportionate amount. However, the reductions may not be made in a manner that results in the elimination of any optional Medicaid service.

2003-224-66

SECTION 66. (a) As used in this SECTION, "office" refers to the office of Medicaid policy and planning established by IC 12-8-6-1.

(b) As used in this SECTION, "optional Medicaid services" means those services that are set forth in 42 U.S.C. 1396 et seq. as optional and that are included in the state Medicaid plan.

(c) Before August 1, 2003, the office shall apply to the United States Department of Health and Human Services for approval to amend the state Medicaid plan to achieve the reductions in optional Medicaid services that are needed to comply with this act.

(d) The office may not implement the amendment to the state Medicaid plan until the office files an affidavit with the governor attesting that the amendment applied for under this SECTION is in effect. The office shall file the affidavit under this subsection not later than three (3) days after the office is notified that the amendment is approved.

(e) If the office receives approval under this SECTION from the

United States Department of Health and Human Services to amend the state Medicaid plan and the governor receives the affidavit filed under subsection (d), the office shall implement the amendment not more than five (5) days after the governor receives the affidavit.

(f) This SECTION expires December 31, 2007.

2003-224-67

SECTION 67. (a) As used in this SECTION, "office" refers to the office of Medicaid policy and planning established by IC 12-8-6-1.

(b) With the approval of the governor and the budget agency after review by the budget committee, the office may apply to the United States Department of Health and Human Services for an amendment to the Pharmacy Plus Section 115 Demonstration waiver for Phase II of the Indiana prescription drug program established under IC 12-10-16 that would amend the waiver to allow the program to provide services to an individual whose family income does not exceed one hundred eighty-five percent (185%) of the federal income poverty level for the same size family.

(c) The office may not implement the amendment to the waiver until the office files an affidavit with the governor attesting that the amendment to the federal waiver applied for under this SECTION is in effect. The office shall file the affidavit under this subsection not later than five (5) days after the office is notified that the amendment to the waiver is approved.

(d) If the office receives approval to amend the waiver as set forth in subsection (b) from the United States Department of Health and Human Services and the governor receives the affidavit filed under subsection (c), the office shall implement the amendment to the waiver not more than thirty (30) days after the governor receives the affidavit.

(e) The office may adopt rules under IC 4-22-2 necessary to implement this SECTION.

(f) This SECTION expires December 31, 2008.

2003-224-68

(Repealed by P.L.75-2004, SEC.8.)

2003-224-69

SECTION 69. (a) As used in this SECTION, "office" refers to the office of Medicaid policy and planning established under IC 12-8-6-1.

(b) The office may apply to the United States Department of Health and Human Services for a state Medicaid waiver that would require specified Medicaid recipients of a county to enroll in the Medicaid risk-based managed care program. The office may apply for a waiver under this SECTION for any county that the office determines that required Medicaid recipient participation in the risk-based managed care program would be feasible and cost effective.

(c) The office may not implement a waiver applied for under this SECTION and that is approved by the United States Department of Health and Human Services until the office files an affidavit with the

governor attesting that the federal waiver applied for under this SECTION is in effect. The office shall file the affidavit under this subsection not later than five (5) days after the office is notified that a waiver is approved.

(d) If the office receives approval from the United States Department of Health and Human Services for a waiver applied for under this SECTION and the governor receives the affidavit filed under subsection (c), the office shall implement the waiver not more than sixty (60) days after the governor receives the affidavit.

(e) The office may adopt rules under IC 4-22-2 necessary to implement this SECTION.

(f) This SECTION expires December 31, 2008.

2003-224-70

SECTION 70. (a) As used in this SECTION, "high Medicaid utilization nursing facility" means the smallest number of those nursing facilities with the greatest number of Medicaid patient days for which it is necessary to assess a lower quality assessment to satisfy the statistical test set forth in 42 CFR 433.68(e)(2)(ii).

(b) As used in this SECTION, "nursing facility" means a health facility that is:

- (1) licensed under IC 16-28 as a comprehensive care facility; and
- (2) certified for participation in the federal Medicaid program under Title XIX of the federal Social Security Act (42 U.S.C. 1396 et seq.).

(c) As used in this SECTION, "office" refers to the office of Medicaid policy and planning established by IC 12-8-6-1.

(d) As used in this SECTION, "total annual revenue" does not include revenue from Medicare services provided under Title XVIII of the federal Social Security Act (42 U.S.C. 1395 et seq.).

(e) Effective August 1, 2003, the office shall collect a quality assessment from each nursing facility that has:

- (1) a Medicaid utilization rate of at least twenty-five percent (25%); and
- (2) at least seven hundred thousand dollars (\$700,000) in annual Medicaid revenue, adjusted annually by the average annual percentage increase in Medicaid rates.

(f) The money collected from the quality assessment may be used only to pay the state's share of the costs for Medicaid services provided under Title XIX of the federal Social Security Act (42 U.S.C. 1396 et seq.) as follows:

- (1) Twenty percent (20%) as determined by the office.
- (2) Eighty percent (80%) to nursing facilities.

(g) The office may not begin collection of the quality assessment set under this SECTION before the office calculates and begins paying enhanced reimbursement rates set forth in this SECTION.

(h) If federal financial participation becomes unavailable to match money collected from the quality assessments for the purpose of enhancing reimbursement to nursing facilities for Medicaid services

provided under Title XIX of the federal Social Security Act (42 U.S.C. 1396 et seq.), the office shall cease collection of the quality assessment under the SECTION.

(i) The office shall adopt rules under IC 4-22-2 to implement this act.

(j) Not later than July 1, 2003, the office shall do the following:

(1) Request the United States Department of Health and Human Services under 42 CFR 433.72 to approve waivers of 42 CFR 433.68(c) and 42 CFR 433.68(d) by demonstrating compliance with 42 CFR 433.68(e)(2)(ii).

(2) Submit any state Medicaid plan amendments to the United States Department of Health and Human Services that are necessary to implement this SECTION.

(k) After approval of the waivers and state Medicaid plan amendment applied for under subsection (j), the office shall implement this SECTION effective July 1, 2003.

(l) The select joint commission on Medicaid oversight, established by IC 2-5-26-3, shall review the implementation of this SECTION. The office may not make any change to the reimbursement for nursing facilities unless the select joint commission on Medicaid oversight recommends the reimbursement change.

(m) A nursing facility may not charge the nursing facility's residents for the amount of the quality assessment that the nursing facility pays under this SECTION.

(n) This SECTION expires August 1, 2004.

2003-224-93

SECTION 93. (a) The budget agency shall develop a plan and seek federal approval to qualify services that are provided to assist exceptional learners in accessing or coordinating services, or both, under the state Medicaid plan.

(b) The budget agency and the office of the secretary of family and social services shall establish a method to collect the state share of the costs of services that are:

(1) reimbursable under the Medicaid program; and

(2) provided to Medicaid eligible children receiving services in private psychiatric residential treatment facilities;

from the county of residence of the child receiving services.

2003-224-94

SECTION 94. (a) IC 6-1.1-18.6-2.2 and IC 6-1.1-18.6-4, both as added by this act, apply only to property taxes first due and payable after December 31, 2004.

(b) This SECTION expires January 1, 2006.

2003-224-95

SECTION 95. The state department of health established by IC 16-19-1-1 may develop a plan and seek federal approval to qualify the Indiana Veterans' Home for reimbursement of services and other

expenses that could be eligible under Medicaid. A plan developed under this section must be structured to maximize federal Medicaid reimbursement for the Veterans' Home. Subject to approval of the budget agency, any revenue accruing to the Indiana Veterans' Home from the receipt of Medicaid reimbursement may be used to augment appropriations made to the office of Medicaid policy and planning established by IC 12-8-6-1 for use in funding long term care.

2003-224-98

SECTION 98. (a) Notwithstanding P.L. 291-2001, SECTION 38, the appropriation from the Build Indiana Fund, FOR THE BUDGET AGENCY, Local Election Equipment Matching Grants for \$4,000,000 is canceled.

(b) Notwithstanding P.L. 291-2001, SECTION 38, the appropriation from the Build Indiana Fund, FOR THE BUDGET AGENCY, Local Election and Voter Registration Equipment for \$5,000,000 is canceled.

(c) There is appropriated to the voter registration and procedures account within the state general fund and to the voter system improvement account within the state general fund an amount sufficient to provide match for federal funds received under the Help America Vote Act (HAVA) from money transferred to the state general fund under subsection (d) for the biennium beginning July 1, 2003, and ending June 30, 2005.

(d) Notwithstanding IC 4-30-11-9, an amount sufficient to comply with subsection (c) is transferred to the state general fund from the balance, as of June 30, 2003, of unclaimed prize money of the Indiana state lottery under IC 4-30-11-7.

(e) This SECTION expires July 1, 2005.

2003-224-99

SECTION 99. The trustees of Indiana University may issue and sell bonds under IC 20-12-6, subject to the approvals required by IC 20-12-5.5, for the following projects if the sum of principal costs of any bond issued, excluding amounts necessary to provide money for debt service reserves, credit enhancement, or other costs incidental to the issuance of the bonds, does not exceed the total authority listed below for the following:

Indiana University - Purdue University at Fort Wayne	
Medical Building	\$14,000,000

2003-224-100

SECTION 100. The trustees of Purdue University may issue and sell bonds under IC 20-12-6, subject to the approvals required by IC 20-12-5.5, for the following projects if the sum of principal costs of any bond issued, excluding amounts necessary to provide money for debt service reserves, credit enhancement, or other costs incidental to the issuance of the bonds, does not exceed the total authority listed below for the following:

Indiana University - Purdue University at Fort Wayne

Music Building \$19,000,000
 Bonding authority granted by this SECTION for the Music Building is not eligible for fee replacement appropriations until July 1, 2005.

2003-224-101

SECTION 101. The trustees of Indiana University and Purdue University may issue and sell bonds under IC 20-12-6, subject to the approvals required by IC 20-12-5.5, for the following projects if for each institution the sum of principal costs of any bond issued, excluding amounts necessary to provide money for debt service reserves, credit enhancement, or other costs incidental to the issuance of the bonds, does not exceed the total authority listed below for that institution:

INDIANA UNIVERSITY- Bloomington Campus	
Multidisciplinary Science Building Phase II	31,872,000
INDIANA UNIVERSITY PURDUE UNIVERSITY INDIANAPOLIS	
Research Institute Building III	33,333,333
INDIANA UNIVERSITY PURDUE UNIVERSITY INDIANAPOLIS	
Information Sciences Building	15,000,000
PURDUE UNIVERSITY- West Lafayette Campus	
Millennium Engineering Building	36,000,000
PURDUE UNIVERSITY- West Lafayette Campus	
Biomedical Engineering Building	13,000,000
INDIANA UNIVERSITY-PURDUE UNIVERSITY INDIANAPOLIS	
Campus Center	40,000,000

The borrowing authority granted by this SECTION for the Indiana University-Purdue University Indianapolis Campus Center project is not authorized for fee replacement, but supplements, and is in addition to, the \$10,000,000 of fee-replaced bonding authority granted in P.L.291-2001, SECTION 46.

2003-224-102

SECTION 102. The trustees of the University of Southern Indiana may issue and sell bonds under IC 20-12-6, subject to the approvals required by IC 20-12-5.5, for the following project if the sum of principal costs of any bond issued, excluding amounts necessary to provide money for debt service reserves, credit enhancement, or other costs incidental to the issuance of the bonds, does not exceed the total authority listed below for the University of Southern Indiana:

UNIVERSITY OF SOUTHERN INDIANA	
Renovation of the University Center	9,750,000

The project is not eligible for fee replacement.

2003-224-103

SECTION 103. The trustees of the University of Southern Indiana may issue and sell bonds under IC 20-12-6, subject to the approvals

required by IC 20-12-5.5, for the following project if the sum of principal costs of any bond issued, excluding amounts necessary to provide money for debt service reserves, credit enhancement, or other costs incidental to the issuance of the bonds, does not exceed the total authority listed below for the University of Southern Indiana:

UNIVERSITY OF SOUTHERN INDIANA	
Library	29,084,830

2003-224-104

SECTION 104. The trustees of the University of Southern Indiana may issue and sell bonds under IC 20-12-8, subject to the approvals required by IC 20-12-5.5, for the purpose of constructing, furnishing, and equipping the parking garage project so long as the sum of principal costs of any bond issued, excluding amounts necessary to provide money for debt service reserves, credit enhancement, or other costs incidental to the issuance of the bonds, does not exceed three million dollars (\$3,000,000). The project is not eligible for fee replacement.

2003-224-105

SECTION 105. The trustees of Indiana University may issue and sell bonds under IC 20-12-6, subject to the approvals required by IC 20-12-5.5, for the following project if the sum of principal costs of any bond issued, excluding amounts necessary to provide money for debt service reserves, credit enhancement, or other costs incidental to the issuance of the bonds, does not exceed the total authority listed below for the Indiana University South Bend Campus:

INDIANA UNIVERSITY-South Bend Campus	
Land Acquisition	2,000,000

2003-224-106

SECTION 106. The trustees of Vincennes University may issue and sell bonds under IC 20-12-6, subject to the approvals required by IC 20-12-5.5, for the following project if the sum of principal costs of any bond issued, excluding amounts necessary to provide money for debt service reserves, credit enhancement, or other costs incidental to the issuance of the bonds, does not exceed the total authority listed below for the Vincennes University Jasper Campus:

VINCENNES UNIVERSITY-Jasper Campus	
Jasper Center New Academic Building	4,320,000

2003-224-107

SECTION 107. The trustees of Ivy Tech State College may issue and sell bonds under IC 20-12-6, subject to the approvals required by IC 20-12-5.5, for the following project if the sum of principal costs of any bond issued, excluding amounts necessary to provide money for debt service reserves, credit enhancement, or other costs incidental to the issuance of the bonds, does not exceed the total authority listed below for the following:

Richmond Building Addition, Phase II	8,780,000
Indianapolis/Lawrence Roosevelt Building Acquisition	10,000,000
Valparaiso New Campus, Phase I	15,843,000
Madison A&E	826,000
Portage A&E	275,000
Marion A&E	250,000
Evansville Phase II Project	18,158,000

2003-224-108

SECTION 108. The trustees of Ball State University may issue and sell bonds under IC 20-12-6, subject to the approvals required by IC 20-12-5.5, for the following project if the sum of principal costs of any bond issued, excluding amounts necessary to provide money for debt service reserves, credit enhancement, or other costs incidental to the issuance of the bonds, does not exceed the total authority listed below for Ball State University:

BALL STATE UNIVERSITY	
Communication Media Building	21,000,000

2003-224-109

SECTION 109. The trustees of Purdue University may issue and sell bonds under IC 20-12-8, subject to the approvals required by IC 20-12-5.5, for the purpose of constructing, furnishing, and equipping the Parking Garage No. 1 project at the Calumet Campus, so long as the sum of principal costs of any bond issued, excluding amounts necessary to provide money for debt service reserves, credit enhancement, or other costs incidental to the issuance of the bonds, does not exceed eleven million five hundred thousand dollars (\$11,500,000). The project is not eligible for fee replacement.

2003-224-110

SECTION 110. The trustees of Indiana State University may issue and sell bonds under IC 20-12-6, subject to the approvals required by IC 20-12-5.5, for the following project if the sum of principal costs of any bond issued, excluding amounts necessary to provide money for debt service reserves, credit enhancement, or other costs incidental to the issuance of the bonds, does not exceed the total authority listed below for Indiana State University:

INDIANA STATE UNIVERSITY	
University Hall Renovation and Business School A&E	2,240,000

2003-224-111

SECTION 111. (a) The general assembly finds that the state needs the construction, equipping, renovation, refurbishing, or alteration of not more than one (1) regional health center.

(b) The general assembly finds that the state will have a continuing need for use and occupancy of the health center described in subsection

(a). The general assembly authorizes the state office building commission to provide the health center described in subsection (a) under IC 4-13.5-1 and IC 4-13.5-4.

2003-224-112

SECTION 112. (a) The general assembly finds that the state needs the construction, equipping, purchasing, leasing, renovation, refurbishing, or alteration of laboratory facilities described in subsection (d) for the use of agencies of the state, including the state police department created by IC 10-1-1-1, the state department of health established by IC 16-19-11, and, notwithstanding IC 4-13.5-1-1, the state department of toxicology of the Indiana University school of medicine established under IC 20-12-34-1.

(b) The general assembly finds that the state will have a continuing need for use and occupancy of the laboratory facilities described in subsection (d).

(c) The general assembly authorizes the state office building commission to provide the laboratory facilities described in subsection (d) under IC 4-13.5-1 and IC 4-13.5-4, including the borrowing of money or the issuance and sale of bonds, or both, under IC 4-13.5-4.

(d) As used in subsections (a), (b) and (c), the term laboratory facilities means land, buildings, structures, improvement and equipment and related facilities for the use and occupancy of state agencies and the state department of toxicology.

2003-224-114

SECTION 114. (a) Notwithstanding IC 32-34-1-26, a life insurance company that was required to file a report with the attorney general concerning abandoned property before May 1, 2003, shall file a supplemental report with the attorney general concerning property that:

- (1) is abandoned property for purposes of IC 32-34-1-20(c)(14), as amended by this act; and
- (2) was not included on a report previously filed under IC 32-34-1-26.

The supplemental report required by this SECTION must be filed before November 1, 2003, and must include the information required by IC 32-34-1-26.

(b) This SECTION expires July 1, 2005.

2003-224-115

SECTION 115. (a) Notwithstanding IC 32-34-1-34, the treasurer of state shall transfer on:

- (1) June 30, 2003;
- (2) June 30, 2004; and
- (3) June 30, 2005;

any balance (excluding amounts needed to fund appropriations to the attorney general for personal services and other operating expenses for the unclaimed property program) in the abandoned property fund that exceeds five hundred thousand dollars (\$500,000) to the state general

fund.

(b) After June 30, 2002, and before July 1, 2005, the treasurer of state may not transfer any amount in the abandoned property fund to the common school fund. If any money was transferred before June 30, 2003, in a manner that is inconsistent with this subsection, the treasurer of state shall take the necessary action to restore the money to the abandoned property fund and transfer the money as required under subsection (a).

(c) This SECTION expires July 1, 2004.

2003-224-116

SECTION 116. (a) The budget agency shall cause fifty million dollars (\$50,000,000) to be transferred from the public depository insurance fund to the state general fund in the state fiscal year beginning July 1, 2003, and ending June 30, 2004, with the following conditions:

(1) The transfer required under this SECTION is an interest free loan from the public depository insurance fund to the state general fund.

(2) If before January 1, 2013, the governor, on the advice of the budget agency, makes a determination that the general fund has a balance sufficient to repay the loan, the budget agency shall establish a repayment plan under which the loan is repaid either in one (1) installment or in a number of installments determined by the budget agency. Money sufficient to make the installments under a repayment plan established under this subsection is appropriated from the general fund.

(3) If the governor, on the advice of the budget agency, has not made a determination prior to January 1, 2013, to repay the interest free loan to the public depository insurance fund, the budget agency shall include a request for funds to repay the loan in the budget agency budget request submitted to the 2013 session of the general assembly.

(b) The budget agency shall cause the following transfers to be made from the specified funds to the state general fund in the specified state fiscal years:

(1) Two million dollars (\$2,000,000) from the industrial industries fund in the state fiscal year beginning July 1, 2003, and ending June 20, 2004.

(2) Two million four hundred thousand dollars (\$2,400,000) from the industrial industries fund in the state fiscal year beginning July 1, 2004, and ending June 30, 2005.

(3) Two million five hundred thousand dollars (\$2,500,000) from the administrative services fund in the state fiscal year beginning July 1, 2004, and ending June 30, 2005.

(c) This SECTION expires July 1, 2013.

2003-224-121

SECTION 121. (a) For purposes of this SECTION:

- (1) "department" refers to the department of local government finance;
- (2) "district" refers to a solid waste management district that has territory in more than one (1) county; and
- (3) "2003 levy" refers to the least of:
 - (A) the district's maximum permissible levy under IC 6-1.1-18.5-3;
 - (B) the district's advertised levy; and
 - (C) the district's adopted levy;
 for 2002 taxes payable in 2003.
- (b) Notwithstanding:
 - (1) IC 13-21-7; or
 - (2) any action taken by a county or a district to fix a property tax levy for 2002 taxes payable in 2003;
 the department may, for each county that participates in a district, determine under this SECTION the portion of the district's property tax levy under IC 13-21-3-12(13) for 2002 taxes payable in 2003 to be levied in the county.
- (c) The amount of the portion referred to in subsection (b) for a county that participates in a district is the amount that bears the same proportion to the 2003 levy that the certified assessed value of the county as of the 2001 assessment date bears to the total certified assessed value as of the 2001 assessment date of all counties that participate in the district.
- (d) The department shall use the amount determined under subsection (c) in setting the tax rate of the county.
- (e) This SECTION expires July 1, 2004.

2003-224-127

SECTION 127. For the state fiscal year ending June 30, 2004, the department of correction shall quarterly present a report regarding county sentencing patterns to the budget committee. The report must include information concerning the following:

- (1) Population.
- (2) Location by facility.
- (3) Percentage of facility usage.
- (4) Type of inmate.
- (5) Type of incarceration.
- (6) Mental health diversion.
- (7) Community corrections and community transition.

2003-224-173

SECTION 173. (a) Notwithstanding IC 21-3-1.6-1.2, as added by this act, and IC 21-3-1.7, the tuition support determined under IC 21-3-1.7-8 for a school corporation shall be reduced as follows:

- (1) For 2001, the previous year's revenue determined without regard to IC 21-3-1.6-1.2, as added by this act, shall be reduced by an amount determined under the following STEPS:
 - STEP ONE: Determine the difference between:

(A) the school corporation's average daily membership count for 2000, without regard to IC 21-3-1.6-1.2, as added by this act; minus

(B) the school corporation's average daily membership count for 2000, as adjusted by the school corporation under this act after applying IC 21-3-1.6-1.2, as added by this act.

STEP TWO: Determine the result of:

(A) the school corporation's previous year's revenue under IC 21-3-1.7-3.1, without regard to IC 21-3-1.6-1.2, as added by this act; divided by

(B) the school corporation's average daily membership for 2000, without regard to IC 21-3-1.6-1.2, as added by this act.

STEP THREE: Multiply the STEP ONE result by the STEP TWO result.

STEP FOUR: Multiply the STEP THREE result by one-third ($\frac{1}{3}$).

(2) For 2002, the previous year revenue determined without regard to IC 21-3-1.6-1.2, as added by this act, shall be reduced by an amount equal to the result under the following:

(A) Determine the result of:

(i) the amount determined under STEP THREE of subdivision (1); minus

(ii) the amount determined under STEP FOUR of subdivision (1).

(B) Divide the clause (A) result by three (3).

(C) Multiply the clause (B) result by one and three-hundredths (1.03).

(3) For 2003, the previous year revenue determined without regard to IC 21-3-1.6-1.2, as added by this act, shall be reduced by an amount equal to the reduction amount under subdivision (2) multiplied by one and two-hundredths (1.02).

(4) For 2005, the product of:

(A) the reduction amount under subdivision (3) divided by three (3); multiplied by

(B) one and three-hundredths (1.03).

(5) For 2006 and 2007, the product of:

(A) the reduction amount under subdivision (4) divided by three (3); multiplied by

(B) one and one-hundredth (1.01).

(b) This SECTION expires January 1, 2008.

2003-224-174

SECTION 174. (a) The definitions in IC 20-5.5-1 apply throughout this SECTION.

(b) This SECTION applies to the period beginning January 1, 2004, and ending December 31, 2004. Total distributions of tuition support and other state funds under IC 20-5.5-7-3(b) to all organizers may not exceed twenty million two hundred fifty thousand dollars

(\$20,250,000). If total distributions of tuition support and other state funds under IC 20-5.5-7-3(b) to all organizers exceed twenty million two hundred fifty thousand dollars (\$20,250,000), the department shall prorate the distribution of tuition support and other state funds under IC 20-5.5-7-3(b) to each organizer based on the enrollment of the organizer's charter school.

(c) This SECTION applies to the period beginning January 1, 2005, and ending December 31, 2005. Total distributions of tuition support and other state funds under IC 20-5.5-7-3(b) to all organizers may not exceed twenty million two hundred fifty thousand dollars (\$20,250,000). If total distributions of tuition support and other state funds under IC 20-5.5-7-3(b) to all organizers exceed twenty million two hundred fifty thousand dollars (\$20,250,000), the department shall prorate the distribution of tuition support and other state funds under IC 20-5.5-7-3(b) to each organizer based on the enrollment of the organizer's charter school.

2003-224-175

SECTION 175. (a) This SECTION applies only to Madison Consolidated Schools.

(b) As used in this SECTION, "department" means the department of education.

(c) The tuition support determined under IC 21-3-1.7-8 for the school corporation for the period beginning January 1, 2004, and ending December 31, 2004, shall be increased by the amount determined under the last of the following STEPS:

STEP ONE: For the period beginning January 1, 2000, and ending December 31, 2000, determine the school corporation's revenue under IC 21-3-1.7-3.1 without regard to IC 21-3-1.6-1.2.

STEP TWO: For the period beginning January 1, 2000, and ending December 31, 2000, determine the school corporation's revenue under IC 21-3-1.7-3.1, applying IC 21-3-1.6-1.2.

STEP THREE: Determine the difference between:

- (A) the STEP ONE amount; and
- (B) the STEP TWO amount.

STEP FOUR: Determine the reduction amount for the school corporation under P.L. 291-2001(a)(1) STEP THREE.

STEP FIVE: Determine the difference between:

- (A) the STEP FOUR amount; minus
- (B) the STEP THREE amount.

(d) This SECTION expires January 1, 2005.

2003-224-176

SECTION 176. (a) Notwithstanding P.L.291-2001, SECTION 38, the appropriation from the build Indiana fund FOR THE BUDGET AGENCY, twenty-first century research and technology fund for the biennium is zero dollars (\$0) and not fifty million dollars (\$50,000,000).

(b) There is appropriated to the twenty-first century technology

research and technology fund from the state general fund fifteen million dollars (\$15,000,000) for the period beginning July 1, 2002, and ending June 30, 2003. The appropriation made by this section does not revert to the state general fund at the end of any state fiscal year.

2003-224-182

SECTION 182. (a) This SECTION applies to a county in which an entity:

- (1) qualified as a taxpayer (as defined in IC 6-1.1-12.2-8, as added by this act) on an assessment date in 2002;
- (2) was not incorporated under the laws of Indiana on the assessment date in 2002;
- (3) was incorporated under the laws of Indiana on the assessment date in 2003; and
- (4) as a result, is subject to the aircraft excise tax under IC 6-6-6.5 on abatement property rather than the ad valorem property tax in 2004.

(b) The definitions in IC 6-1.1-1 and IC 6-1.1-12.2, as added by this act, apply throughout this SECTION.

(c) The department of local government finance shall adjust the maximum property tax rate under IC 21-2-15-11 for the capital projects fund of a school city (as defined in IC 20-3-11-1) to allow a levy of an amount that is equal to the amount that would have applied if the taxpayer had continued to pay property taxes for assessment dates after 2002 on abatement property that was subject to assessment in 2002. The department of local government finance shall adjust the maximum property tax rate in 2004, and the maximum property tax rate applies to property taxes first due and payable in 2004 and for each subsequent year.

2003-224-183

SECTION 183. IC 6-6-6.5-9, as amended by this act, applies to aircraft excise taxes and registration fees imposed under IC 6-6-6.5 after December 31, 2003.

2003-224-184

SECTION 184. IC 6-1.1-12.2, as added by this act, applies only to assessment dates after January 1, 2003, and ad valorem property taxes due and payable after January 1, 2004.

2003-224-189

SECTION 189. IC 5-10.2-2-18, as added by this act, applies only to investments made after June 30, 2003.

2003-224-190

SECTION 190. (a) For purposes of this SECTION, "boards" refers to the board of trustees of the Indiana state teachers' retirement fund and the board of trustees of the public employees' retirement fund.

(b) In order to seek and enhance investment opportunities under

IC 5-10.2-2-2.5, IC 5-10.3-5-3, and IC 21-6.1-3-9, all as amended by this act, the boards shall seek funding from:

- (1) a private foundation;
- (2) the federal government;
- (3) an institution of higher education; or
- (4) any other entity;

to develop a fellowship program to work with the Indiana future fund to enhance venture capital investment opportunities in Indiana technology and advanced manufacturing companies.

(c) The investment opportunities must be designed to enhance investment in companies in Indiana and must be designed to:

- (1) enhance the venture capital community;
- (2) train future venture capitalists; and
- (3) support the development of high potential, startup, and early stage companies in the areas of technology and advanced manufacturing.

(d) The fellowship program must be designed to last for two (2) years.

(e) An applicant for the fellowship must:

- (1) be a resident of Indiana;
- (2) hold a graduate degree, preferably with a business or technical major; and
- (3) have at least three (3) years of practical experience.

(f) The department of commerce shall assist the boards in developing and administering the grant. The boards shall create a committee, including:

- (1) one (1) individual appointed by the board of trustees of the public employees' retirement fund;
- (2) one (1) individual appointed by the teachers' retirement fund; and
- (3) three (3) individuals appointed by the department of commerce.

(g) The committee established in subsection (f) shall:

- (1) review the grant application before it is submitted;
- (2) review applicants for the fellowship program; and
- (3) set the stipend for participants in the program.

(h) This SECTION expires July 1, 2007.

2003-224-198

(Repealed by P.L.81-2004, SEC.17.)

2003-224-243

SECTION 243. IC 6-3.1-19-1.5 and IC 6-3.1-19-2.5, both as added by this act, and IC 6-3.1-19-3, as amended by this act, apply to taxable years beginning after December 31, 2002.

2003-224-244

SECTION 244. (a) As used in this SECTION, "commission" refers to the government efficiency commission established by subsection (c).

- (b) As used in this SECTION, "state educational institution" has the meaning set forth in IC 20-12-0.5-1.
- (c) The government efficiency commission is established.
- (d) The commission consists of the following members:
- (1) One (1) co-chairperson appointed before July 16, 2003, by the president pro tempore of the senate.
 - (2) One (1) co-chairperson appointed before July 16, 2003, by the speaker of the house of representatives.
 - (3) Ten (10) members appointed before August 16, 2003, by the president pro tempore of the senate, five (5) of those members appointed with the advice and consent of the minority leader of the senate.
 - (4) Ten (10) members appointed before August 16, 2003, by the speaker of the house of representatives, five (5) of those members appointed with the advice and consent of the minority leader of the house of representatives.
- (e) The following may not be members of the commission:
- (1) An elected or appointed state or local official.
 - (2) An employee or a person receiving a pension or other retirement benefit related to service to any of the following:
 - (A) A state educational institution.
 - (B) A school corporation or a charter school.
 - (C) The state or any agency of the state.
 - (3) A person who has a direct business relationship with any of the following:
 - (A) A state educational institution.
 - (B) A public school corporation.
 - (C) The state or any agency of the state.
 - (D) An elected or appointed state agency official.
 - (E) The general assembly or any of its members.
- (f) A member of the commission is not entitled to a salary per diem.
- (g) A member of the commission is entitled to reimbursement for traveling expenses and other expenses actually incurred in connection with the member's duties, as provided in the legislative council's travel policies and procedures.
- (h) The commission shall meet upon the call of the co-chairpersons.
- (i) The co-chairpersons may advise the president pro tempore of the senate, the minority leader of the senate, the speaker of the house of representatives, and the minority leader of the house of representatives concerning the appointment of other members of the commission.
- (j) A quorum of the commission must be present to conduct business. A quorum consists of a majority of the voting members appointed to the commission.
- (k) The commission may not take an official action unless the official action has been approved by at least a majority of the voting members appointed to serve on the commission.
- (l) The co-chairpersons shall establish and appoint commission members to four (4) subcommittees as follows:
- (1) The K-12 education subcommittee.

- (2) The higher education subcommittee.
- (3) The Medicaid and human services subcommittee.
- (4) The general government subcommittee.
- (m) The co-chairpersons shall name the chairperson of each subcommittee.
- (n) The commission shall do the following:
 - (1) Review all state funded agencies, departments, and programs.
 - (2) Make recommendations to improve efficiency and reduce waste or other unnecessary costs associated with any state funded agency, department, or program.
- (o) The commission may accept donations to carry out the purposes of this SECTION.
- (p) The following persons shall serve as staff advisers to the commission:
 - (1) The state budget director.
 - (2) The commissioner of the commission for higher education.
 - (3) The Indiana state board of education administrator.
 - (4) The executive director of the legislative services agency.
- (q) The commission shall provide its final recommendations before December 31, 2004, to the following:
 - (1) The governor.
 - (2) The general assembly.
- (r) This SECTION expires January 1, 2005.

2003-224-248

SECTION 248. (a) Notwithstanding IC 6-3.5-6-13, as amended by this act, or any other law, a county income tax council of a county in which the county option income tax is in effect may adopt an ordinance to increase the percentage credit allowed for homesteads in its county under IC 6-1.1-20.9-2 for property taxes first due and payable in 2003 and each year thereafter.

(b) An ordinance may be adopted under this SECTION before July 1, 2003.

(c) Property tax statements mailed under IC 6-1.1-22 before July 1, 2003, in a county adopting an ordinance under this SECTION are superseded by property tax statements recalculated to implement this SECTION.

(d) The department of local government finance shall assist a county adopting an ordinance under this SECTION in implementing this SECTION.

(e) This SECTION expires January 1, 2004.

2003-224-261

SECTION 261. (a) The duties conferred on the department of commerce relating to energy policy are transferred to the office of energy policy on July 1, 2005.

(b) The rules adopted by the department of commerce concerning energy policy before July 1, 2005, are considered, after June 30, 2005, rules of the office of energy policy until the office of energy policy

adopts replacement rules.

(c) On July 1, 2005, the office of energy policy becomes the owner of all property relating to energy policy of the department of commerce.

(d) Any appropriations to the department of commerce relating to energy policy and any funds relating to energy policy under the control or supervision of the department of commerce on June 30, 2005, are transferred to the control or supervision of the office of energy policy on July 1, 2005.

(e) The legislative services agency shall prepare legislation for introduction in the 2004 regular session of the general assembly to organize and correct statutes affected by the transfer of responsibilities to the office of energy policy by this act.

(f) This SECTION expires January 1, 2006.

2003-224-262

SECTION 262. (a) The duties conferred on the department of commerce relating to tourism and community development are transferred to the department of tourism and community development on July 1, 2005.

(b) The rules adopted by the department of commerce concerning tourism and community development before July 1, 2005, are considered, after June 30, 2005, rules of the department of tourism and community development until the department of tourism and community development adopts replacement rules.

(c) On July 1, 2005, the department of tourism and community development becomes the owner of all property relating to tourism promotion and community development of the department of commerce.

(d) Any appropriations to the department of commerce relating to tourism and community development and funds relating to tourism and community development under the control or supervision of the department of commerce on June 30, 2005, are transferred to the control or supervision of the department of tourism and community development on July 1, 2005.

(e) The legislative services agency shall prepare legislation for introduction in the 2004 regular session of the general assembly to organize and correct statutes affected by the transfer of responsibilities to the department of tourism and community development by this act.

(f) This SECTION expires January 1, 2006.

2003-224-263

SECTION 263. (a) The duties conferred on the department of commerce relating to economic development in Indiana, except those relating to energy policy or tourism and community development, are transferred to the Indiana economic development corporation established by IC 4-1.5-3-1, as added by this act, on July 1, 2005.

(b) The rules and policies adopted by the department of commerce related to economic development, except those related to energy policy and tourism and community development, before July 1, 2005, are

considered, after June 30, 2005, policies of the Indiana economic development corporation until the corporation adopts replacement policies.

(c) On July 1, 2005, the Indiana economic development corporation becomes the owner of all property and obligations of the department of commerce that are associated with the economic development activities of the department of commerce, except property and obligations related to energy policy and tourism and community development.

(d) Any appropriations to the department of commerce and funds under the control or supervision of the department of commerce related to its economic development functions, except appropriations and funds related to energy policy and tourism and community development, on June 30, 2005, are transferred to the Indiana economic development corporation on January 1, 2005.

(e) Any reference in a law or other document to the department of commerce or director of the department of commerce made before July 1, 2005, and relating to its economic development function shall be treated after June 30, 2005, as a reference to the Indiana economic development corporation established by this act.

(f) The legislative services agency shall prepare legislation for introduction in the 2004 regular session of the general assembly to organize and correct statutes affected by the transfer of responsibilities to the Indiana economic development corporation by this act.

(g) This SECTION expires January, 2006.

2003-224-264

SECTION 264. The following bodies corporate and politic are transferred to the Indiana economic development corporation to be operated as separate corporate entities under the supervision of the Indiana economic development corporation on July 1, 2005:

- (1) Indiana small business development corporation established under IC 4-3-12-1.
- (2) Indiana economic development council established under IC 4-3-14.
- (3) Indiana development finance authority established by IC 4-4-11-4.

2003-224-275

SECTION 275. (a) The department of state revenue may adopt rules in the manner provided for the adoption of emergency rules under IC 4-22-2-37.1 to carry out its responsibilities under IC 4-4-31, as added by this act. A rule adopted under this SECTION expires on the latest of the following:

- (1) The date specified by the department of state revenue in a rule.
- (2) The date the department of state revenue adopts a temporary or permanent rule to replace another rule adopted under this SECTION.
- (3) July 1, 2005.

(b) This SECTION expires July 2, 2005.

2003-224-282

SECTION 282. IC 6-3.1-27 and 6-3.1-28, both as added by this act, apply to taxable years beginning after December 31, 2003.

2003-224-283

SECTION 283. Notwithstanding IC 4-33-13-5(a)(1), before July 1, 2003, the first thirty-three million dollars (\$33,000,000) of tax revenues collected in a state fiscal year under IC 4-33-13 shall be deposited in the state general fund.

2003-224-284

SECTION 284. (a) The provisions of this act are severable in the manner provided by IC 1-1-1-8(b).

(b) If a provision of this act is found by a court of competent jurisdiction to be in violation of Article 4, Section 23 of the Constitution of the State of Indiana, it is the intent of the general assembly that the provision be given general application.

2003-225-7

SECTION 7. (a) IC 35-48-4-13.3, as added by this act, and IC 35-48-4-14.5, as amended by this act, apply only to acts committed after June 30, 2003.

(b) IC 35-48-1-9.3 and IC 35-48-4-0.5, both as added by this act, apply only to a controlled substance offense under IC 35-48-4 that occurs after June 30, 2003.

2003-226-3

SECTION 3. (a) IC 27-8-5-15.6, as amended by this act, applies to a policy of accident and sickness insurance that is issued, delivered, amended, or renewed after June 30, 2003.

(b) IC 27-13-7-14.8, as amended by this act, applies to a group or an individual contract with a health maintenance organization that is entered into, delivered, amended, or renewed after June 30, 2003.

2003-230-2

SECTION 2. (a) The definitions in IC 6-1.1-1 apply throughout this SECTION.

(b) For purposes of this SECTION:

- (1) "commissioner" refers to the commissioner of the department of local government finance;
- (2) "provisional statement" refers to a provisional property tax statement under subsection (c);
- (3) "property taxes" include special assessments;
- (4) "reconciling statement" refers to a reconciling property tax statement under subsection (g); and
- (5) "tax liability" includes liability for special assessments and

refers to liability for property taxes after the application of all allowed deductions and credits.

(c) With respect to property taxes payable under IC 6-1.1 on assessments determined for the 2002 assessment date, the county treasurer may use a provisional statement under this SECTION if the county auditor fails to deliver the abstract to the county treasurer under IC 6-1.1-22-5 before March 16, 2003. The provisional statement must:

- (1) be on a form approved by the state board of accounts;
- (2) except as provided in emergency rules adopted under subsection (p), indicate tax liability in the amount of:

- (A) fifty percent (50%); or
- (B) subject to subsection (o), if the county auditor requests in writing that the commissioner approve a greater percentage not to exceed seventy percent (70%), the percentage approved by the commissioner;

of the tax liability payable in 2002 for the property for which the provisional statement is issued;

(3) indicate:

- (A) that the tax liability under the provisional statement is determined as described in subdivision (2); and
- (B) that property taxes billed on the provisional statement:
 - (i) are due and payable in the same manner as property taxes billed on a tax statement under IC 6-1.1-22-8; and
 - (ii) will be credited against a reconciling statement;

(4) include the following statement:

"Under Indiana law, this provisional statement is sent to property owners in counties that elected to send provisional statements because the county did not complete the general reassessment of real property before March 16, 2003. The statement is due to be paid not later than (insert date). The statement is based on (insert percentage) of your tax liability for taxes payable in 2002. After the general reassessment of real property is complete, you will receive a reconciling statement in the amount of your actual tax liability for taxes payable in 2003, minus the amount you pay under this provisional statement. The due date for taxes under the reconciling statement will be after November 9, 2003.";

(5) indicate liability for:

- (A) delinquent:
 - (i) taxes; and
 - (ii) special assessments;
- (B) penalties; and
- (C) interest;

eligible to appear on the tax statement under IC 6-1.1-22-8 for the May, 2003, installment of property taxes; and

(6) include any other information the county treasurer requires.

(d) Property taxes billed on a provisional statement are due:

- (1) in one (1) installment on June 15, 2003; or
- (2) if the county treasurer requests in writing that the commissioner designate one (1) or two (2) installment dates, on

the date or dates designated by the commissioner.

(e) If a provisional tax statement is used:

(1) notice of the provisional statement, including disclosure of the percentage of the tax liability payable in 2002 to be used in determining the tax liability to be indicated on the provisional statement under subsection (c), shall be published one (1) time:

(A) in the form prescribed by the department of local government finance; and

(B) in the manner described in IC 6-1.1-22-4(b); and

(2) IC 6-1.1-22-4 applies to the reconciling statement.

(f) As soon as possible after the receipt of the abstract referred to in subsection (c), the county treasurer shall:

(1) give the notice required by IC 6-1.1-22-4; and

(2) mail or transmit reconciling statements under subsection (g).

(g) Each reconciling statement must indicate:

(1) the actual property tax liability under IC 6-1.1 on the assessment determined for the 2002 assessment date for the property for which the reconciling statement is issued;

(2) the total amount paid under the provisional statement for the property for which the reconciling statement is issued;

(3) if the amount under subdivision (1) exceeds the amount under subdivision (2), that the excess is payable by the taxpayer:

(A) as a final reconciliation of the tax liability; and

(B) not later than:

(i) thirty (30) days after the date of the reconciling statement; or

(ii) if the county treasurer requests in writing that the commissioner designate a later date, the date designated by the commissioner; and

(4) if the amount under subdivision (2) exceeds the amount under subdivision (1), that the taxpayer may claim a refund of the excess under IC 6-1.1-26.

(h) Taxpayers shall make all payments under this SECTION to the county treasurer. The board of county commissioners may authorize the county treasurer to open temporary offices to receive payments under this SECTION in municipalities in the county other than the county seat.

(i) Not later than sixty (60) days after the due date of a provisional or reconciling statement under this SECTION, the county auditor shall:

(1) file with the auditor of state a report of settlement; and

(2) distribute tax collections to the appropriate taxing units.

(j) If a county auditor fails to make a distribution of tax collections under subsection (i), a taxing unit that was to receive a distribution may recover interest on the undistributed tax collections at the same rate and in the same manner that interest may be recovered under IC 6-1.1-27-1(b).

(k) IC 6-1.1-15:

(1) does not apply to a provisional statement; and

(2) applies to a reconciling statement.

- (l) IC 6-1.1-37-10 applies to:
 - (1) a provisional statement; and
 - (2) a reconciling statement;
 in the same manner that IC 6-1.1-37-10 applies to an installment of property taxes.
- (m) For purposes of IC 6-1.1-24-1(a)(1):
 - (1) a provisional statement is considered to be the May 2003 spring installment of property taxes; and
 - (2) payment on a reconciling statement is considered to be due before the May 2004 installment of property taxes is due.
- (n) IC 6-1.1 applies to this SECTION to the extent IC 6-1.1 does not conflict with this SECTION.
- (o) The commissioner may approve different percentages for different classes of property in response to a request under subsection (c)(2)(B).
- (p) For purposes of a provisional statement under subsection (c), the department of local government finance may adopt emergency rules under IC 4-22-2-37.1 to provide a methodology for a county treasurer to issue provisional statements with respect to real property taking into account new construction of improvements placed on the real property after March 1, 2001, and before March 2, 2002.
- (q) This SECTION expires January 1, 2005.

2003-230-3

- SECTION 3. (a) The commissioner of the department of local government finance may designate a rule adopted by the department under IC 6-1.1-31-1(b) as an emergency rule.
- (b) Except as provided in subsection (c), IC 4-22-2-37.1 applies to a rule referred to in subsection (a).
 - (c) Subject to subsection (d), a rule referred to in subsection (a) may be extended for three (3) extension periods referred to in IC 4-22-2-37.1(g).
 - (d) A rule referred to in subsection (a) expires on the earlier of:
 - (1) the expiration date of the rule under IC 4-22-2-37.1; or
 - (2) December 31, 2004.
 - (e) This SECTION expires January 1, 2005.

2003-230-4

- SECTION 4. (a) Notwithstanding IC 20-5-4-8(c) and IC 20-5-4-8(d), the amount of principal of temporary loans maturing under IC 20-5-4-8 on or before December 31, 2005, shall not exceed the lesser of:
- (1) the highest cash flow deficit (not to exceed the amount permitted by Internal Revenue Service arbitrage regulations) estimated by the governing body of the school corporation for the year ending December 31; or
 - (2) eighty percent (80%) of the total approved budget for the fund for which the loan is made.
- (b) If the governing board of a school corporation determines that

an emergency exists that requires an extension of the prescribed maturity date for a temporary loan referred to in subsection (a), the prescribed maturity date may be extended for not more than six (6) months after the budget year for which the temporary loan is made if the governing board does the following:

- (1) Passes a resolution that contains:
 - (A) a statement determining that an emergency exists;
 - (B) a brief description of the grounds for the determination that an emergency exists; and
 - (C) the date the loan will be repaid that is not more than six (6) months after the budget year for which the temporary loan is made.
- (2) Immediately forwards the resolution to:
 - (A) the state board of accounts; and
 - (B) the department of local government finance.
- (c) This SECTION expires July 1, 2005.

2003-231-4

SECTION 4. (a) As used in this SECTION, "board" refers to the water pollution control board established by IC 13-18-1.

(b) All waters designated under 327 IAC 2-1.5-19(b) as outstanding state resource waters shall be maintained and protected in their present quality in accordance with the antidegradation implementation procedures for the outstanding state resource waters established by the board for waters in the Great Lakes system. This SECTION does not affect the authority of the board to amend 327 IAC 5-2-11.7. Any rule adopted by the board contrary to this standard is void.

(c) All waters designated as outstanding state resource waters under 327 IAC 2-1-2(3) and waters designated as exceptional use waters under 327 IAC 2-1-6(i) shall be maintained and protected in accordance with 327 IAC 2-1-2(1) and 327 IAC 2-1-2(2). If a permittee seeks a new or increased discharge for which a new or increased permit limit is required and that amounts to a significant lowering of water quality, the permittee shall demonstrate an overall improvement in water quality in the outstanding state resource water or exceptional use water, subject to:

- (1) the approval of the department of environmental management; and
- (2) IC 13-18-3-2(m)(2)(A) and IC 13-18-3-2(m)(2)(B).

(d) Any rule adopted by the board before the effective date of this SECTION is void to the extent that it:

- (1) is inconsistent with this SECTION; or
- (2) requires protection of waters beyond the protection required by 327 IAC 2-1-2(1) and 327 IAC 2-1-2(2).

(e) Before July 1, 2004, the board shall amend 327 IAC 2-1-2, 327 IAC 2-1-6, and 327 IAC 2-1.5-4 to reflect this SECTION.

- (f) This SECTION expires on the earlier of:
 - (1) the effective date of the rule amendments adopted by the board under subsection (e); or

(2) July 1, 2006.

2003-231-5

SECTION 5. (a) Until July 1, 2004, the following apply to a water body designated before October 1, 2002, as an exceptional use water:

- (1) The water body is subject to the overall water quality improvement provisions of IC 13-18-3-2(l).
- (2) The water body is not subject to a standard of having its water quality maintained and protected without degradation consistent with the provisions of P.L.140-2000.

(b) Before July 1, 2004, the water pollution control board established under IC 13-18-1 shall:

- (1) determine whether, effective July 1, 2004, to designate as an outstanding state water each water designated before October 1, 2002, as an exceptional use water under 327 IAC 2-1-11; and
- (2) complete rulemaking to make any designation determined under subdivision (1).

(c) This SECTION expires July 1, 2006.

2003-231-6

SECTION 6. (a) Before July 1, 2005, the:

- (1) air pollution control board, water pollution control board, or solid waste management board may not adopt a new rule; and
- (2) department of environmental management may not adopt a new policy;

if the new rule or policy would require any industry described in subsection (b) that experienced at least a ten percent (10%) job loss or a ten percent (10%) decline in production during calendar years 2001 and 2002 to comply with a standard of conduct that exceeds the standard established in a related federal regulation or regulatory policy.

(b) The following are the industries referred to in subsection (a) functioning under the following primary Standard Industrial Classification (SIC) codes:

- (1) Blast furnaces and steel mills (3312).
- (2) Gray and ductile iron foundries (3321).
- (3) Malleable iron foundries (3322).
- (4) Steel investment foundries (3324).
- (5) Steel foundries (3325).
- (6) Aluminum foundries (3365).
- (7) Copper foundries (3366).
- (8) Nonferrous foundries (3369).

(c) This SECTION expires July 1, 2005.

2003-232-3

SECTION 3. IC 35-44-2-2 and IC 35-47-4.5-4, both as amended by this act, apply only to offenses committed after June 30, 2003.

2003-237-19

SECTION 19. (a) As used in this SECTION, "state department"

refers to the state department of health established by IC 16-19-1-1.

(b) The state department of health shall apply for any eligible funding under the federal Ryan White CARE Act (42 U.S.C. 300ff and 42 U.S.C. 201 et seq.).

(c) This SECTION expires December 31, 2006.

2003-240-12

SECTION 12. (a) As used in this SECTION, "boards" refers to:

- (1) the air pollution control board;
- (2) the water pollution control board; and
- (3) the solid waste management board.

(b) Before November 1, 2003, the environmental quality service council shall:

(1) consider whether the rulemaking operations of the boards are sufficiently independent of the influence of:

- (A) the department of environmental management; and
- (B) other state agencies or entities;

(2) consider the overall efficiency of rulemaking operations of the boards; and

(3) submit its final report on the matters described in subdivisions

(1) and (2) to:

- (A) the governor; and
- (B) the executive director of the legislative services agency.

(c) As part of its consideration under subsections (b)(1) and (b)(2), the environmental quality service council shall examine the following:

- (1) The composition of the boards.
- (2) The appointing authorities for members of the boards.
- (3) The extent to which the boards control staff who serve the boards.

(4) The sources and availability of data concerning:

- (A) the fiscal impact; and
- (B) other aspects;

of proposed rules.

(5) The involvement of employees of:

- (A) the department of environmental management; and
- (B) other state agencies or entities;

in the rulemaking process.

(6) The procedures to initiate and adopt proposed rules.

(7) The procedures to determine which issues are addressed in proposed rules and which issues are addressed in nonrule policy documents.

(8) The requirements for public notice and public participation in the rulemaking process.

(9) The means by which other states maintain independent and efficient operations of environmental rulemaking entities.

(10) Any other matter the environmental quality service council considers appropriate.

(d) This SECTION expires January 1, 2004.

2003-240-13

SECTION 13. (a) IC 13-14-1-11.5(b), as amended by this act, applies to proposed policies or statements presented by the department of environmental management to the appropriate board after June 30, 2003.

(b) The following, all as amended by this act, apply to proposed rules for which the department of environmental management provides notice in the Indiana Register of the first public comment period required by IC 13-14-9-3, as amended by this act, after June 30, 2003:

- (1) IC 4-22-2-28.
- (2) IC 13-14-9-3.
- (3) IC 13-14-9-4.
- (4) IC 13-14-9-4.5.
- (5) IC 13-14-9.5-1.1.

(c) This SECTION expires January 1, 2004.

2003-243-14

SECTION 14. (a) As used in this SECTION, "commission" refers to the Indiana commission on mental health established by this SECTION.

(b) The Indiana commission on mental health is established.

(c) The commission consists of seventeen (17) members determined as follows:

(1) The speaker of the house of representatives and the president pro tempore of the senate shall each appoint two (2) legislative members, who may not be from the same political party, to serve on the commission.

(2) The governor shall appoint thirteen (13) lay members, not more than seven (7) of whom may be from the same political party, to serve on the commission as follows:

(A) Four (4) at-large members, not more than two (2) of whom may be from the same political party.

(B) Two (2) consumers of mental health services.

(C) Two (2) representatives of different advocacy groups for consumers of mental health services.

(D) Two (2) members of families of consumers of mental health services.

(E) Three (3) members who represent mental health providers. One (1) of the members appointed under this clause must be a representative of a for-profit psychiatric provider. One (1) of the members appointed under this clause must be a physician licensed under IC 25-22.5.

(d) Except for the members appointed under subsection (c)(2)(E), the members of the commission may not have a financial interest in the subject matter to be studied by the commission.

(e) The chairman of the legislative council shall designate a legislative member of the commission to serve as chairman of the commission.

(f) Each legislative member and each lay member of the

commission is entitled to receive the same per diem, mileage, and travel allowances paid to individuals serving as legislative and lay members, respectively, on interim study committees established by the legislative council.

(g) The commission shall do the following:

- (1) Study and evaluate the funding system for managed care providers of mental health services.
- (2) Review and make specific recommendations regarding the provision of mental health services delivered by community managed care providers and state operated hospitals.
- (3) Review and make recommendations regarding any unmet need for public supported mental health services in any specific geographic area or throughout Indiana. In formulating these recommendations, the commission shall consider the need, feasibility, and desirability of including additional organizations in the network of managed care providers.
- (4) Review the results of the actuarial study which must be submitted by the division of mental health and addiction to the commission not later than thirty (30) days after completion of the actuarial study.
- (5) Make recommendations regarding the application of the actuarial study by the division of mental health and addiction to the determination of service needs, eligibility criteria, payment, and prioritization of service.

(h) The commission shall:

- (1) monitor the implementation of managed care programs for all populations of the mentally ill that are eligible for care that is paid for in part or in whole by the state; and
- (2) make recommendations regarding the commission's findings under subdivision (1) to the appropriate division or department.

(i) This SECTION expires January 1, 2006.

2003-244-2

SECTION 2. (a) Notwithstanding IC 20-8.1-7-9.5, as amended by this act, a child residing in Indiana is not required to be immunized for chicken pox to enter kindergarten or grade 1 until after June 30, 2004.

(b) This SECTION expires July 1, 2004.

2003-245-36

SECTION 36. (a) The following, all as amended by this act, apply only to property taxes first due and payable after December 31, 2004:

- (1) IC 6-1.1-12.1-4.5.
- (2) IC 6-1.1-12.1-4.6.
- (3) IC 6-1.1-12.1-5.4.
- (4) IC 6-1.1-12.1-5.8.
- (5) IC 6-1.1-12.1-5.9.
- (6) IC 36-8-19-8.5.

(b) This SECTION expires January 1, 2006.

2003-245-37

SECTION 37. (a) Notwithstanding IC 6-1.1-5.5-4(a), a person filing a sales disclosure form under IC 6-1.1-5.5 with respect to a sale of real property that occurs:

- (1) after December 31, 2003; and
- (2) before January 1, 2006;

shall pay a fee of ten dollars (\$10) to the county auditor.

(b) Notwithstanding IC 6-1.1-5.5-4(b) and IC 6-1.1-5.5-12(d), fifty percent (50%) of the revenue collected under:

- (1) subsection (a); and
- (2) IC 6-1.1-5.5-12;

for the period referred to in subsection (a) shall be deposited in the county sales disclosure fund established under IC 6-1.1-5.5-4.5. Ten percent (10%) of the revenue shall be transferred to the treasurer of state for deposit in the assessment training fund established under IC 6-1.1-5.5-4.7. Forty percent (40%) of the revenue shall be transferred to the treasurer of state for deposit in the state general fund.

(c) The department of local government finance may provide training of assessment officials and employees of the department through the Indiana chapter of the International Association of Assessing Officers on various dates and at various locations in Indiana.

(d) This SECTION expires January 1, 2007.

2003-245-38

SECTION 38. (a) IC 6-1.1-12.1-11.3 and IC 6-1.1-18.5-13, both as amended by this act, apply only to property taxes first due and payable after December 31, 2003.

(b) This SECTION expires January 1, 2005.

2003-245-39

SECTION 39. (a) IC 6-1.1-12.1-5.4, as amended by this act, applies only to property taxes first due and payable after December 31, 2004.

(b) This SECTION expires January 1, 2006.

2003-245-40

SECTION 40. (a) The following, all as amended by this act, apply only to taxable years beginning after December 31, 2003:

- (1) IC 6-3.1-23-3.
- (2) IC 6-3.1-23-5.
- (3) IC 6-3.1-23-11.
- (4) IC 6-3.1-23-12.
- (5) IC 6-3.1-23-13.
- (6) IC 6-3.1-23-16.

(b) IC 6-3.1-23-1.5 and IC 6-3.1-23-3.5, both as added by this act, apply only to taxable years beginning after December 31, 2003.

(c) This SECTION expires January 1, 2004.

2003-248-4

SECTION 4. IC 9-19-10.5-4 and IC 9-19-10.5-5, both as added by

this act, apply only to acts committed after June 30, 2003.

2003-251-6

SECTION 6. (a) IC 5-10-8-13, as added by this act, applies to an employee health benefit plan that is entered into, issued, delivered, amended, or renewed after June 30, 2003.

(b) IC 27-8-31.2, as added by this act, applies to a policy of accident and sickness insurance that is issued, delivered, amended, or renewed after June 30, 2003.

(c) IC 27-13-37.5, as added by this act, applies to an individual contract or a group contract that is entered into, delivered, amended, or renewed after June 30, 2003.

2003-251-7

SECTION 7. (a) Notwithstanding IC 25-26-19, as added by this act, an individual is not required to be certified under IC 25-26-19, as added by this act, to practice as a pharmacy technician before January 1, 2004.

(b) Notwithstanding IC 25-26-19, as added by this act, an individual is not required to hold a permit under IC 25-26-19, as added by this act, to act as a pharmacy technician in training before January 1, 2004.

(c) This SECTION expires July 1, 2004.

2003-251-8

SECTION 8. (a) Notwithstanding IC 25-26-19-5(a)(6), as added by this act, an individual who applies for certification as a pharmacy technician to the board of pharmacy before July 1, 2004, may be certified as a pharmacy technician without being required to meet the requirements of IC 25-26-19-5(a)(6), as added by this act, if the individual has been employed as a pharmacy technician for two (2) years before July 1, 2003.

(b) This SECTION expires July 1, 2004.

2003-251-9

SECTION 9. (a) As used in this SECTION, "board" refers to the board of pharmacy established by IC 25-26-13-3.

(b) Before December 31, 2003, the board shall adopt rules to set the pharmacy technician certificate fee at twenty-five dollars (\$25) in compliance with IC 25-1-8 and as allowed under IC 25-26-19, as added by this act.

(c) This SECTION expires December 31, 2004.

2003-252-22

SECTION 22. (a) Notwithstanding IC 24-3-5.4-13(a), as added by this act, a tobacco manufacturer shall file a certification under IC 24-3-5.4-13, as added by this act, not later than August 15, 2003.

(b) Notwithstanding IC 24-3-5.4-14(a), as added by this act, the attorney general shall publish a directory under IC 24-3-5.4-14, as added by this act, not later than October 1, 2003.

(c) This SECTION expires December 31, 2003.

2003-256-41

SECTION 41. (a) This SECTION applies to a certified statement sent by the county auditor in 2001 that complied with IC 6-1.1-17-1, except that the statement was sent after August 1, 2001.

(b) A certified statement described in subsection (a) has the same legal effect as if the statement had been sent before August 2, 2001.

(c) This SECTION expires January 1, 2004.

2003-256-42

SECTION 42. (a) The following, all as amended by this act, apply only to property taxes first due and payable after December 31, 2004:

- (1) IC 6-1.1-12.1-4.5.
- (2) IC 6-1.1-12.1-4.6.
- (3) IC 6-1.1-12.1-5.4.
- (4) IC 6-1.1-12.1-5.8.
- (5) IC 6-1.1-12.1-5.9.
- (6) IC 6-1.1-18.5-13.
- (7) IC 36-8-19-8.5.

(b) This SECTION expires January 1, 2006.

2003-256-43

SECTION 43. (a) IC 6-1.1-18.5-8 and IC 6-1.1-19-8, both as amended by this act, apply only to bonds and leases for which the first date of publication under IC 6-1.1-20-3.1(2) of notice of a preliminary determination is after June 30, 2003.

(b) This SECTION expires January 1, 2004.

2003-256-44

SECTION 44. (a) This SECTION applies to property that:

- (1) is used for a fraternity for students attending Indiana University;
- (2) is owned by a nonprofit corporation that was previously determined by the auditor of the county in which the property is located to be eligible to receive a property tax exemption under IC 6-1.1-10-16 or IC 6-1.1-10-24; and
- (3) is not eligible for the property tax exemption under IC 6-1.1-10-16 or IC 6-1.1-10-24 for property taxes first due and payable in 2001 or 2002 because the nonprofit corporation failed to timely file an application under IC 6-1.1-11-3.5.

(b) Notwithstanding IC 6-1.1-11-1 and IC 6-1.1-11-3.5, the auditor of the county in which the property described in subsection (a) is located shall:

- (1) waive noncompliance with the timely filing requirement for the exemption application in question; and
- (2) grant the appropriate exemption.

(c) A property tax exemption granted under this SECTION applies to:

- (1) property taxes first due and payable in 2001; and
- (2) property taxes first due and payable in 2002.
- (d) This SECTION expires December 31, 2004.

2003-257-42

SECTION 42. (a) The department of state revenue shall adopt the initial rules and prescribe the initial forms to implement this act before December 1, 2003. The department of state revenue may adopt the initial rules required under this SECTION in the same manner that emergency rules are adopted under IC 4-22-2-37.1. A rule adopted under this SECTION expires on the earlier of the following:

- (1) The date that the rule is superseded, amended, or repealed by a permanent rule adopted under IC 4-22-2 or another rule adopted under this SECTION.
- (2) July 1, 2005.
- (b) This SECTION expires July 1, 2005.

2003-258-32

SECTION 32. This act does not affect:

- (1) rights or liabilities accrued;
- (2) penalties incurred;
- (3) crimes committed; or
- (4) proceedings begun;

before the effective date of this act. Those rights, liabilities, penalties, crimes, and proceedings continue and shall be imposed under prior law as if this act had not been enacted.

2003-261-16

SECTION 16. (a) Notwithstanding IC 9-14-3-5(b), the bureau of motor vehicles shall not disclose:

- (1) the Social Security number;
- (2) the federal identification number;
- (3) the driver's license number;
- (4) the digital image of the driver's license applicant;
- (5) a reproduction of the signature secured under IC 9-24-9-1 or IC 9-24-16-3; or
- (6) medical or disability information;

of any person except to a law enforcement officer or an agent or a designee of the department of state revenue or for uses permitted under IC 9-14-3.5-10(1), IC 9-14-3.5-10(4), IC 9-14-3.5-10(6), and IC 9-14-3.5-10(9).

- (b) This SECTION expires June 30, 2003.

2003-261-17

SECTION 17. (a) The state police department may not charge a fee for responding to a request for the release of a limited criminal history record if the request is made by a nonprofit organization:

- (1) that has been in existence for at least ten (10) years; and
- (2) that:

(A) has a primary purpose of providing an individual relationship for a child with an adult volunteer if the request is made as part of a background investigation of a prospective adult volunteer for the organization;

(B) is a home health agency licensed under IC 16-27-1;

(C) is a community mental retardation and other developmental disabilities center (as defined in IC 12-7-2-39);
or

(D) is a supervised group living facility licensed under IC 12-28-5.

(b) Notwithstanding IC 5-2-5-13, except as provided in subsection (d), the state police department may not charge a fee for responding to a request for the release of a limited criminal history record made by the division of family and children or a county office of family and children if the request is made as part of a background investigation of an applicant for a license under IC 12-17.2 or IC 12-17.4.

(c) The state police department may not charge a fee for responding to a request for the release of a limited criminal history if the request is made by a school corporation, special education cooperative, or non-public school (as defined in IC 20-10.1-1-3) as part of a background investigation of an employee or adult volunteer for the school corporation, special education cooperative, or nonpublic school.

(d) As used in this subsection, "state agency" means an authority, a board, a branch, a commission, a committee, a department, a division, or another instrumentality of state government, including the executive and judicial branches of state government, the principal secretary of the senate, the principal clerk of the house of representatives, the executive director of the legislative services agency, a state elected official's office, or a body corporate and politic, but does not include a state educational institution (as defined in IC 20-12-0.5-1). Notwithstanding IC 5-2-5-13, the state police department may not charge a fee for responding to a request for the release of a limited criminal history if the request is made:

(1) by a state agency; and

(2) through the computer gateway that is administered by the intelnet commission under IC 5-21-2 and known as accessIndiana.

(e) This SECTION expires June 30, 2003.

2003-262-10

SECTION 10. (a) Beginning July 1, 2003, any reference in the Indiana Code to poor relief (as administered by a township under IC 12-20) shall be treated as a reference to township assistance.

(b) The legislative services agency shall prepare legislation for introduction in the 2004 session of the general assembly to organize and correct statutes by changing any reference to the township poor relief program in the Indiana Code from "poor relief" to "township assistance".

(c) If during the preparation of legislation under subsection (b) the

legislative services agency cannot determine whether a particular instance of the term "poor relief" refers to the township program administered under IC 12-20, the legislative services agency may omit changing that reference in the legislation.

(d) This SECTION expires June 30, 2007.

2003-264-14

SECTION 14. (a) A church or religious institution may file a claim with the county auditor for a refund for the payment of property taxes first due and payable in 2001 if:

- (1) the church or religious institution challenged in an administrative action before the state board of tax commissioners (before it was abolished) the denial of exemption of land for that year by the county property tax assessment board of appeals; and
- (2) the church or religious institution paid property taxes for that year on land not exceeding forty-five (45) acres for which exemption was denied as described in subdivision (1).

The claim must be filed as set forth in IC 6-1.1-26-1, except that the claim must be based upon a determination of the exemption of the property of the church or religious institution as if IC 6-1.1-10-16, as amended by this act, had been in effect for property taxes first due and payable in 2001.

(b) Upon receiving a claim filed under this SECTION, the county auditor shall determine whether the claim is correct. If the county auditor determines that the claim is correct, the auditor shall, without an appropriation being required, issue a warrant to the claimant payable from the county general fund for the amount due the claimant under this SECTION.

(c) The amount of the refund shall equal the amount of the claim so allowed. No interest is payable on the refund.

(d) This SECTION expires January 1, 2004.

2003-264-15

SECTION 15. (a) IC 6-1.1-10-16 (subject to SECTION 13 of this act), IC 6-1.1-10-21, and IC 14-33-7-4, all as amended by this act, apply only to property taxes first due and payable after December 31, 2002.

(b) This SECTION expires January 1, 2004.

2003-265-4

SECTION 4. IC 9-19-10.5-4 and IC 9-19-10.5-5, both as added by this act, apply only to acts committed after June 30, 2003.

2003-266-3

SECTION 3. This act applies only to crimes committed after June 30, 2003.

2003-269-12

SECTION 12. (a) The definitions in IC 6-2.3-1, as added by this act,

apply throughout this SECTION.

(b) The department of state revenue shall adopt the initial rules and prescribe the initial forms to implement IC 6-2.3 (utility receipts tax), as added by this act, before December 1, 2002. The department of state revenue may adopt the initial rules required under this SECTION in the same manner that emergency rules are adopted under IC 4-22-2-37.1. A rule adopted under this SECTION expires on the earlier of the following:

(1) The date that the rule is superseded, amended, or repealed by a permanent rule adopted under IC 4-22-2 or another rule adopted under this SECTION.

(2) July 1, 2004.

(c) IC 6-2.3, as added by this act, applies to taxable years beginning after December 31, 2002, and to short taxable years described in subsection (d).

(d) This subsection applies to a taxpayer that was doing business in Indiana during a taxable year determined under the Internal Revenue Code for federal income tax purposes that:

(1) begins before January 1, 2003; and

(2) ends after December 31, 2002.

The initial taxable year for a taxpayer under IC 6-2.3, as added by this act, is a short taxable year. Notwithstanding IC 6-2.3-1-11, as added by this act, the initial taxable year of a taxpayer under IC 6-2.3, as added by this act, begins January 1, 2003. The initial taxable year of the taxpayer ends on the day immediately preceding the day that the taxpayer's next taxable year under the Internal Revenue Code begins.

(e) The one thousand dollar (\$1,000) basic deduction (IC 6-2.3-5-1) and the resource recovery system depreciation deduction (IC 6-2.3-5-3) for the tax imposed under IC 6-2.3, as added by this act, for the initial taxable year of the taxpayer is equal to the deduction computed under IC 6-2.3 for the taxpayer's full taxable year under the Internal Revenue Code multiplied by a fraction. The numerator of the fraction is the number of days remaining in the taxpayer's taxable year after December 31, 2002, and the denominator is the total number of days in the taxable year under the Internal Revenue Code for the purposes of federal income taxation.

2003-269-13

SECTION 13. (a) This SECTION applies to a taxpayer that:

(1) was subject to the supplemental net income tax under IC 6-3-8 before January 1, 2003; and

(2) has a taxable year that begins before January 1, 2003, and ends after December 31, 2002.

(b) Notwithstanding the repeal of IC 6-3-8-5 by P.L.192-2002(ss), the provisions of IC 6-3-8-5 (repealed) apply to the imposition, collection, payment, and administration of the supplemental net income tax imposed under this SECTION, including the requirement related to filing the taxpayer's estimated supplemental net income tax return and paying the taxpayer's estimated supplemental net income tax liability

to the department of state revenue. The taxpayer shall file a final supplemental net income tax return, in the manner prescribed by the department of state revenue, before the fifteenth day of the fourth month following the close of the taxpayer's regular taxable year, determined as if IC 6-3-8 had not been repealed by P.L.192-2002(ss).

(c) The supplemental net income tax imposed under IC 6-3-8 (repealed) for that taxable year is equal to the result determined under STEP TWO of the following formula:

STEP ONE: Determine the product of the taxpayer's net income for the taxpayer's regular taxable year multiplied by a tax rate equal to four and five-tenths percent (4.5%).

STEP TWO: Multiply the STEP ONE result by a fraction, the numerator of which is the number of days in the taxpayer's taxable year that occurred before January 1, 2003, and the denominator of which is the total number of days in the taxable year.

(d) The department of state revenue may prescribe forms and procedures for reconciling the returns and tax due under P.L.192-2002(ss), SECTION 197 before the enactment of this amendment and the returns and tax due under P.L.192-2002(ss), SECTION 197, as amended by this SECTION. The procedures may include procedures for granting an automatic extension for the filing of some or all returns due before April 16, 2003, under P.L.192-2002(ss), SECTION 197 before the enactment of this amendment.

2003-269-14

SECTION 14. (a) This SECTION applies to a taxpayer that:

- (1) was subject to the gross income tax under IC 6-2.1 before January 1, 2003; and
- (2) has a taxable year that begins before January 1, 2003, and ends after December 31, 2002.

(b) A taxpayer shall file the taxpayer's estimated gross income tax return and pay the taxpayer's estimated gross income tax liability to the department of state revenue as provided in IC 6-2.1-5-1.1 (before its repeal).

(c) Not later than Except as otherwise provided in 45 IAC 1.1-5-3, the final gross income tax return of a taxpayer is due on the fifteenth day of the fourth month following the end of the taxpayer's regular taxable year determined as if IC 6-2.1 had not been repealed by P.L.192-2002(ss). The taxpayer shall file the final gross income tax return on a form and in the manner prescribed by the department of state revenue. At the time of filing the final gross income tax return, a taxpayer shall pay to the department of state revenue an amount equal to the remainder of:

- (1) the total gross income tax liability incurred by the taxpayer for the part of the taxpayer's taxable year that occurred in calendar year 2002; minus
- (2) the sum of:
 - (A) the total amount of gross income taxes that was previously paid by the taxpayer to the department of state revenue for any

quarter of that same part of the taxpayer's taxable year; plus
(B) any gross income taxes that were withheld from the taxpayer for that same part of the taxpayer's taxable year under IC 6-2.1-6.

(d) The department of state revenue may prescribe forms and procedures for reconciling the returns and tax due under P.L.192-2002(ss), SECTION 199 before the enactment of this amendment and the returns and tax due under P.L.192-2002(ss), SECTION 199, as amended by this SECTION. The procedures may include procedures for granting an automatic extension for the filing of some or all returns due before April 16, 2003, under P.L.192-2002(ss), SECTION 199 before the enactment of this amendment.

2003-269-15

SECTION 15. (a) This SECTION applies to a taxpayer that:

- (1) was subject to the gross income tax under IC 6-2.1 before January 1, 2003;
- (2) has a taxable year that begins before January 1, 2003, and ends after December 31, 2002; and
- (3) is not subject to the adjusted gross income tax under IC 6-3 in the taxpayer's taxable year.

(b) A taxpayer shall file the taxpayer's estimated gross income tax return and pay the taxpayer's estimated gross income tax liability to the department of state revenue as provided in IC 6-2.1-5-1.1 for due dates that occur before January 1, 2003.

(c) Not later than April 15, 2003, a taxpayer shall file a final gross income tax return with the department of state revenue on a form and in the manner prescribed by the department of state revenue. At the time of filing the final gross income tax return, a taxpayer shall pay to the department of state revenue an amount equal to the remainder of:

- (1) the total gross income tax liability incurred by the taxpayer for the part of the taxpayer's taxable year that occurred in calendar year 2002; minus
- (2) the sum of:
 - (A) the total amount of gross income taxes that was previously paid by the taxpayer to the department of state revenue for any quarter of that same part of the taxpayer's taxable year; plus
 - (B) any gross income taxes that were withheld from the taxpayer for that same part of the taxpayer's taxable year under IC 6-2.1-6.

2003-269-16

SECTION 16. (a) This SECTION applies to a corporate taxpayer that:

- (1) pays adjusted gross income tax under IC 6-3-1 through IC 6-3-7; and
- (2) has a taxable year that begins before January 1, 2003, and ends after December 31, 2002.

(b) This subsection applies to a corporate taxpayer that was not

subject to the gross income tax under IC 6-2.1 (repealed) before January 1, 2003. The rate of the adjusted gross income tax imposed under IC 6-3-2-1 for that taxable year is a rate equal to the sum of:

(1) three and four-tenths percent (3.4%) multiplied by a fraction, the numerator of which is the number of days in the taxpayer's taxable year that occurred before January 1, 2003, and the denominator of which is the total number of days in the taxable year; and

(2) eight and five-tenths percent (8.5%) multiplied by a fraction, the numerator of which is the number of days in the taxpayer's taxable year that occurred after December 31, 2002, and the denominator of which is the total number of days in the taxable year.

(c) However, the rate determined under this SECTION shall be rounded to the nearest one-hundredth of one percent (0.01%).

(d) This subsection applies to a taxpayer that was also subject to the gross income tax under IC 6-2.1 (repealed) before January 1, 2003. The total tax liability of the taxpayer under IC 6-2.1 (repealed) and IC 6-3-1 through IC 6-3-7 for the taxable year is the amount determined in STEP SEVEN of the following formula:

STEP ONE: Determine, under IC 6-3, an amount equal to the product of the adjusted gross income derived from sources within Indiana of the corporation multiplied by an adjusted gross income tax rate of three and four-tenths percent (3.4%).

STEP TWO: Multiply the STEP ONE amount by a fraction, the numerator of which is the number of days in the taxpayer's taxable year that occurred before January 1, 2003, and the denominator of which is the total number of days in the taxable year.

STEP THREE: Determine the amount of gross income tax that would be payable under IC 6-2.1-2-2 in the taxable year if 6-2.1-2-2 had not been repealed by P.L.192-2002(ss) for gross receipts received before January 1, 2003.

STEP FOUR: Determine the greater of the STEP TWO amount or the STEP THREE amount.

STEP FIVE: Determine, under IC 6-3, an amount equal to the product of the adjusted gross income derived from sources within Indiana of the corporation multiplied by an adjusted gross income tax rate of eight and five-tenths percent (8.5%).

STEP SIX: Multiply the STEP FIVE amount by a fraction, the numerator of which is the number of days in the taxpayer's taxable year that occurred after December 31, 2002, and the denominator of which is the total number of days in the taxable year.

STEP SEVEN: Determine the sum of the STEP FOUR amount and the STEP SIX amount.

(e) The one thousand dollar (\$1,000) basic deduction (IC 6-2.1-4-1 (repealed)) and the resource recovery system depreciation deduction (IC 6-2.1-4-3 (repealed)) for the tax imposed under IC 6-2.1 (before its repeal) for the final taxable year of the taxpayer is equal to the deduction computed under IC 6-2.1 (repealed) for the taxpayer's full

taxable year under the Internal Revenue Code multiplied by a fraction. The numerator of the fraction is the number of days in the taxpayer's taxable year that the taxpayer was subject to gross income tax before January 1, 2003, and the denominator is the total number of days in the taxable year under the Internal Revenue Code for purposes of federal income taxation.

(f) The department of state revenue may prescribe forms and procedures for reconciling the returns and tax due under P.L.192-2002(ss), SECTION 200 before the enactment of this amendment and the returns and tax due under P.L.192-2002(ss), SECTION 200, as amended by this SECTION. The procedures may include procedures for granting an automatic extension for filing some or all returns due before April 16, 2003, under P.L.192-2002(ss), SECTION 200 before the enactment of this amendment.

2003-269-17

SECTION 17. (a) Notwithstanding IC 6-3-3-5, this SECTION applies instead of IC 6-3-3-5.

(b) At the election of the taxpayer, there shall be allowed, as a credit against the adjusted gross income tax imposed by IC 6-3-1 through IC 6-3-7 for the taxable year, an amount (subject to the applicable limitations provided by this SECTION) equal to fifty percent (50%) of the aggregate amount of charitable contributions made by such taxpayer during such year to institutions of higher education located within Indiana, to any corporation or foundation organized and operated solely for the benefit of any such institution of higher education, or to the associated colleges of Indiana.

(c) In the case of a taxpayer other than a corporation, the amount allowable as a credit under this SECTION for any taxable year shall not exceed one hundred dollars (\$100) in the case of a single return or two hundred dollars (\$200) in the case of a joint return.

(d) In the case of a corporation, the amount allowable as a credit under this SECTION for any taxable year shall not exceed:

- (1) ten percent (10%) of such corporation's total adjusted gross income tax under IC 6-3-1 through IC 6-3-7 for such year (as determined without regard to any credits against that tax); or
- (2) one thousand dollars (\$1,000);

whichever is less.

(e) For purposes of this SECTION, the term "institution of higher education" means any educational institution located within Indiana:

- (1) which normally maintains a regular faculty and curriculum and normally has a regularly organized body of students in attendance at the place where its educational activities are carried on;
- (2) which regularly offers education at a level above the twelfth grade;
- (3) which regularly awards either associate, bachelors, masters, or doctoral degrees, or any combination thereof; and
- (4) which is duly accredited by the North Central Association of

Colleges and Schools, the Indiana state board of education, or the American Association of Theological Schools.

(f) The credit allowed by this SECTION shall not exceed the amount of the adjusted gross income tax imposed by IC 6-3-1 through IC 6-3-7 for the taxable year, reduced by the sum of all credits (as determined without regard to this SECTION) allowed by IC 6-3-1 through IC 6-3-7.

(g) This SECTION expires April 2, 2003.

2003-269-18

SECTION 18. (a) Notwithstanding IC 6-3-3-5.1, this SECTION applies instead of IC 6-3-3-5.1.

(b) At the election of the taxpayer, a credit against the adjusted gross income tax imposed by IC 6-3-1 through IC 6-3-7 for the taxable year is permitted in an amount (subject to the applicable limitations provided by this SECTION) equal to fifty percent (50%) of the aggregate amount of contributions made by the taxpayer during the taxable year to the twenty-first century scholars program support fund established under IC 20-12-70.1-5.

(c) In the case of a taxpayer other than a corporation, the amount allowable as a credit under this SECTION for any taxable year may not exceed:

- (1) one hundred dollars (\$100) in the case of a single return; or
- (2) two hundred dollars (\$200) in the case of a joint return.

(d) In the case of a taxpayer that is a corporation, the amount allowable as a credit under this SECTION for any taxable year may not exceed the lesser of the following amounts:

- (1) Ten percent (10%) of the corporation's total adjusted gross income tax under IC 6-3-1 through IC 6-3-7 for the taxable year (as determined without regard to any credits against that tax).
- (2) One thousand dollars (\$1,000).

(e) The credit permitted under this SECTION may not exceed the amount of the adjusted gross income tax imposed by IC 6-3-1 through IC 6-3-7 for the taxable year, reduced by the sum of all credits (as determined without regard to this SECTION) allowed by IC 6-3-1 through IC 6-3-7.

(f) This SECTION expires April 2, 2003.

2003-269-19

SECTION 19. (a) Notwithstanding IC 6-3-3-10, this SECTION applies instead of IC 6-3-3-10.

(b) The following definitions apply throughout this SECTION:

- (1) "Base period wages" means the following:
 - (A) In the case of a taxpayer other than a pass through entity, wages paid or payable by a taxpayer to its employees during the year that ends on the last day of the month that immediately precedes the month in which an enterprise zone is established, to the extent that the wages would have been qualified wages if the enterprise zone had been in effect for

that year. If the taxpayer did not engage in an active trade or business during that year in the area that is later designated as an enterprise zone, then the base period wages equal zero (0). If the taxpayer engaged in an active trade or business during only part of that year in an area that is later designated as an enterprise zone, then the department shall determine the amount of base period wages.

(B) In the case of a taxpayer that is a pass through entity, base period wages equal zero (0).

(2) "Enterprise zone" means an enterprise zone created under IC 4-4-6.1.

(3) "Enterprise zone adjusted gross income" means adjusted gross income of a taxpayer that is derived from sources within an enterprise zone. Sources of adjusted gross income shall be determined with respect to an enterprise zone, to the extent possible, in the same manner that sources of adjusted gross income are determined with respect to the state of Indiana under IC 6-3-2-2.

(4) "Enterprise zone gross income" means gross income of a taxpayer that is derived from sources within an enterprise zone.

(5) "Enterprise zone insurance premiums" means insurance premiums derived from sources within an enterprise zone.

(6) "Monthly base period wages" means base period wages divided by twelve (12).

(7) "Pass through entity" means a:

(A) corporation that is exempt from the adjusted gross income tax under IC 6-3-2-2.8(2);

(B) partnership;

(C) trust;

(D) limited liability company; or

(E) limited liability partnership.

(8) "Qualified employee" means an individual who is employed by a taxpayer and who:

(A) has his principal place of residence in the enterprise zone in which he is employed;

(B) performs services for the taxpayer, ninety percent (90%) of which are directly related to the conduct of the taxpayer's trade or business that is located in an enterprise zone;

(C) performs at least fifty percent (50%) of his services for the taxpayer during the taxable year in the enterprise zone; and

(D) in the case of an individual who is employed by a taxpayer that is a pass through entity, was first employed by the taxpayer after December 31, 1998.

(9) "Qualified increased employment expenditures" means the following:

(A) For a taxpayer's taxable year other than his taxable year in which the enterprise zone is established, the amount by which qualified wages paid or payable by the taxpayer during the taxable year to qualified employees exceeds the taxpayer's

base period wages.

(B) For the taxpayer's taxable year in which the enterprise zone is established, the amount by which qualified wages paid or payable by the taxpayer during all of the full calendar months in the taxpayer's taxable year that succeed the date on which the enterprise zone was established exceed the taxpayer's monthly base period wages multiplied by that same number of full calendar months.

(10) "Qualified state tax liability" means a taxpayer's total income tax liability incurred under:

(A) IC 6-3-1 through IC 6-3-7 (adjusted gross income tax) with respect to enterprise zone adjusted gross income;

(B) IC 27-1-18-2 (insurance premiums tax) with respect to enterprise zone insurance premiums; and

(C) IC 6-5.5 (the financial institutions tax);

as computed after the application of the credits that, under IC 6-3.1-1-2, are to be applied before the credit provided by this SECTION.

(11) "Qualified wages" means the wages paid or payable to qualified employees during a taxable year.

(12) "Taxpayer" includes a pass through entity.

(c) A taxpayer is entitled to a credit against the taxpayer's qualified state tax liability for a taxable year in the amount of the lesser of:

(1) the product of ten percent (10%) multiplied by the qualified increased employment expenditures of the taxpayer for the taxable year; or

(2) one thousand five hundred dollars (\$1,500) multiplied by the number of qualified employees employed by the taxpayer during the taxable year.

(d) The amount of the credit provided by this SECTION that a taxpayer uses during a particular taxable year may not exceed the taxpayer's qualified state tax liability for the taxable year. If the credit provided by this SECTION exceeds the amount of that tax liability for the taxable year it is first claimed, then the excess may be carried back to preceding taxable years or carried over to succeeding taxable years and used as a credit against the taxpayer's qualified state tax liability for those taxable years. Each time that the credit is carried back to a preceding taxable year or carried over to a succeeding taxable year, the amount of the carryover is reduced by the amount used as a credit for that taxable year. Except as provided in subsection (e), the credit provided by this SECTION may be carried forward and applied in the ten (10) taxable years that succeed the taxable year in which the credit accrues. The credit provided by this SECTION may be carried back and applied in the three (3) taxable years that precede the taxable year in which the credit accrues.

(e) A credit earned by a taxpayer in a particular taxable year shall be applied against the taxpayer's qualified state tax liability for that taxable year before any credit carryover or carryback is applied against that liability under subsection (d).

(f) Notwithstanding subsection (d), if a credit under this SECTION results from wages paid in a particular enterprise zone, and if that enterprise zone terminates in a taxable year that succeeds the last taxable year in which a taxpayer is entitled to use the credit carryover that results from those wages under subsection (d), then the taxpayer may use the credit carryover for any taxable year up to and including the taxable year in which the enterprise zone terminates.

(g) A taxpayer is not entitled to a refund of any unused credit.

(h) A taxpayer that:

- (1) does not own, rent, or lease real property outside of an enterprise zone that is an integral part of its trade or business; and
- (2) is not owned or controlled directly or indirectly by a taxpayer that owns, rents, or leases real property outside of an enterprise zone;

is exempt from the allocation and apportionment provisions of this SECTION.

(i) If a pass through entity is entitled to a credit under subsection (c) but does not have state tax liability against which the tax credit may be applied, an individual who is a shareholder, partner, beneficiary, or member of the pass through entity is entitled to a tax credit equal to:

- (1) the tax credit determined for the pass through entity for the taxable year; multiplied by
- (2) the percentage of the pass through entity's distributive income to which the shareholder, partner, beneficiary, or member is entitled.

The credit provided under this subsection is in addition to a tax credit to which a shareholder, partner, beneficiary, or member of a pass through entity is entitled. However, a pass through entity and an individual who is a shareholder, partner, beneficiary, or member of a pass through entity may not claim more than one (1) credit for the qualified expenditure.

(j) This SECTION expires April 2, 2003.

2003-269-20

SECTION 20. (a) Notwithstanding IC6-3-4-4.1, this SECTION applies instead of IC 6-3-4-4.1.

(b) This SECTION applies to taxable years beginning after December 31, 1993.

(c) Any individual required by the Internal Revenue Code to file estimated tax returns and to make payments on account of such estimated tax shall file estimated tax returns and make payments of the tax imposed by this article to the department at the time or times and in the installments as provided by Section 6654 of the Internal Revenue Code. However, in applying Section 6654 of the Internal Revenue Code for the purposes of this article, "estimated tax" means the amount which the individual estimates as the amount of the adjusted gross income tax imposed by this article for the taxable year, minus the amount which the individual estimates as the sum of any credits against the tax provided by IC 6-3-3.

(d) Every individual who has adjusted gross income subject to the tax imposed by this article and from which tax is not withheld under the requirements of IC 6-3-4-8 of this chapter shall make a declaration of estimated tax for the taxable year. However, no such declaration shall be required if the estimated tax can reasonably be expected to be less than four hundred dollars (\$400). In the case of an underpayment of the estimated tax as provided in Section 6654 of the Internal Revenue Code, there shall be added to the tax a penalty in an amount prescribed by IC 6-8.1-10-2.1(b).

(e) Every corporation subject to the adjusted gross income tax liability imposed by IC 6-3 shall be required to report and pay an estimated tax equal to twenty-five percent (25%) of such corporation's estimated adjusted gross income tax liability for the taxable year. A taxpayer who uses a taxable year that ends on December 31 shall file the taxpayer's estimated adjusted gross income tax returns and pay the tax to the department on or before April 20, June 20, September 20, and December 20 of the taxable year. If a taxpayer uses a taxable year that does not end on December 31, the due dates for filing estimated adjusted gross income tax returns and paying the tax are on or before the twentieth day of the fourth, sixth, ninth, and twelfth months of the taxpayer's taxable year. The department shall prescribe the manner and forms for such reporting and payment.

(f) The penalty prescribed by IC 6-8.1-10-2.1(b) shall be assessed by the department on corporations failing to make payments as required in subsection (d) or (g). However, no penalty shall be assessed as to any estimated payments of adjusted gross income tax which equal or exceed:

- (1) twenty percent (20%) of the final tax liability for such taxable year; or
- (2) twenty-five percent (25%) of the final tax liability for the taxpayer's previous taxable year.

In addition, the penalty as to any underpayment of tax on an estimated return shall only be assessed on the difference between the actual amount paid by the corporation on such estimated return and twenty-five percent (25%) of the corporation's final adjusted gross income tax liability for such taxable year.

(g) The provisions of subsection (d) requiring the reporting and estimated payment of adjusted gross income tax shall be applicable only to corporations having an adjusted gross income tax liability which, after application of the credit allowed by IC 6-3-3-2, shall exceed one thousand dollars (\$1,000) for its taxable year.

(h) If the department determines that a corporation's:

- (1) estimated quarterly adjusted gross income tax liability for the current year; or
- (2) average estimated quarterly adjusted gross income tax liability for the preceding year;

exceeds, before January 1, 1998, twenty thousand dollars (\$20,000), and, after December 31, 1997, ten thousand dollars (\$10,000), after the credit allowed by IC 6-3-3-2, the corporation shall pay the estimated

adjusted gross income taxes due by electronic funds transfer (as defined in IC 4-8.1-2-7) or by delivering in person or overnight by courier a payment by cashier's check, certified check, or money order to the department. The transfer or payment shall be made on or before the date the tax is due.

(i) If a corporation's adjusted gross income tax payment is made by electronic funds transfer, the corporation is not required to file an estimated adjusted gross income tax return.

(j) This SECTION expires April 2, 2003.

2003-269-21

SECTION 21. (a) Notwithstanding IC 6-3.1-18-8, this SECTION applies instead of IC 6-3.1-18-8.

(b) The credit provided under IC 6-3.1-18-7 is in addition to a tax credit to which a shareholder, partner, or member of a pass through entity is otherwise entitled under IC 6-3, this article, or IC 6-5.5. However, a pass through entity and a shareholder, partner, or member of the pass through entity may not claim more than one (1) credit for the same qualified expenditure.

(c) This SECTION expires April 2, 2003.

2003-269-22

SECTION 22. (a) Notwithstanding IC 6-5.5-2-7, this SECTION applies instead of IC 6-5.5-2-7.

(b) Notwithstanding any other provision of IC 6-5.5, there is no tax imposed on the adjusted gross income or apportioned income of the following:

(1) Insurance companies subject to the tax under IC 27-1-18-2 or IC 6-3.

(2) International banking facilities (as defined in Regulation D of the Board of Governors of the Federal Reserve System).

(3) Any corporation that is exempt from income tax under Section 1363 of the Internal Revenue Code.

(4) Any corporation exempt from federal income taxation under the Internal Revenue Code, except for the corporation's unrelated business income. However, this exemption does not apply to a corporation exempt from federal income taxation under Section 501(c)(14) of the Internal Revenue Code.

(c) This SECTION expires April 2, 2003.

2003-269-23

SECTION 23. Notwithstanding the repeal of IC 6-3-3-2 by P.L.192-2002(ss), a taxpayer that has adjusted gross income tax liability under IC 6-3 for a taxable year that included any part of the year 2002 may apply the credit granted by IC 6-3-3-2 (repealed) for gross income taxes (IC 6-2.1 (repealed)) paid by the taxpayer during the taxable year.

2003-269-24

SECTION 24. IC 6-3-2-8, as amended by this act, applies to taxable years beginning after December 31, 2003.

2003-272-9

SECTION 9. (a) The following, all as amended by this act, apply to property taxes first due and payable after December 31, 2003:

- (1) IC 6-1.1-12-9.
- (2) IC 6-1.1-12-14.
- (3) IC 6-1.1-12-17.4.
- (4) IC 14-23-3-3.
- (5) IC 15-1.5-8-1.

(b) This SECTION expires January 1, 2005.

2003-272-10

SECTION 10. (a) This section applies to certified applications for an enterprise zone inventory credit under IC 6-1.1-20.8 that were filed for property taxes due and payable in 2002.

(b) Notwithstanding any other law, the county auditor may determine that a person who filed a certified application no later than thirty (30) days after the time established in IC 6-1.1-20.8-2.5 is eligible to receive the credit. In order to approve the application, the county auditor shall make the findings set forth in subsection (d).

(c) To apply for a determination of eligibility under this section, a person must file with the auditor of the county in which the person's facility is located, by no later than July 1, 2003, an application for an enterprise zone inventory credit for its inventory as of March 1, 2001 on a form EZ-1 prescribed by the Department of Local Government Finance.

(d) If an application for an enterprise zone inventory credit is filed by a person under subsection (c), the county auditor shall, within thirty (30) days after such filing, determine whether the application should be approved. The county auditor shall make the following findings:

- (1) The person applied for the credit no later than thirty (30) days after the time established in IC 6-1.1-20.8-2.5 and the application was denied as being not timely filed.
- (2) The application would have been approved if it had been timely filed.
- (3) Local officials support the approval of the application.
- (4) Approval of the application will result in a significant assistance payment to the applicable local zone urban enterprise association.
- (5) The approval of the application will promote economic development activities in the enterprise zone.

(e) If the auditor approves the application, the auditor shall determine the amount of the credit by calculating the person's property tax liability on inventory located within an enterprise zone as of March 1, 2001, payable in 2002.

(f) Without any appropriation being required, the county auditor shall issue warrants payable from the county general fund to a person

eligible for credit under subsection (e) in the following amounts and on the following dates:

(1) On July 15, 2004, for an amount equal to one-half of the liability calculated under subsection (e)(1).

(2) On January 15, 2005, for an amount equal to one-half of the liability calculated under subsection (e)(1).

(g) In addition to issuing a warrant, the county auditor may choose to grant the person a credit against the person's property tax liability payable in 2004 and 2005 for all or a portion of the amount of the credit determined in subsection (e).

(h) Within thirty (30) days after receiving either the credit against property tax liability under subsection (g) or each of the warrants issued under subsection (f), the person shall pay an amount equal to the pro-rata amount of any additional registration fee under IC 4-4-6.1-2(a)(4) and the pro-rata amount of any assistance payment under IC 4-4-6.1-2(b).

(i) This SECTION expires December 31, 2005.

2003-274-7

SECTION 7. (a) As used in this SECTION, "board" refers to the community and home options to institutional care for the elderly and disabled board established by IC 12-10-11-1.

(b) As used in this SECTION, "office" refers to the office of Medicaid policy and planning established by IC 12-8-6-1.

(c) As used in this SECTION, "waiver" refers to the aged and disabled Medicaid waiver.

(d) Before September 1, 2003, the office shall discuss and review any amendment to the waiver required under this SECTION with the board.

(e) Before October 1, 2003, the office shall apply to the United States Department of Health and Human Services to amend the waiver to include in the waiver any service that is offered under the community and home options to institutional care for the elderly and disabled (CHOICE) program established by IC 12-10-10-6. A service provided under this subsection may not be more restrictive than the corresponding service provided under IC 12-10-10.

(f) The office may not implement the waiver until the office files an affidavit with the governor attesting that the amendment to the waiver applied for under this SECTION is in effect. The office shall file the affidavit under this subsection not later than five (5) days after the office is notified that the waiver is approved.

(g) If the office receives approval for the amendment to the waiver under this SECTION from the United States Department of Health and Human Services and the governor receives the affidavit filed under subsection (f), the office shall implement the waiver not more than sixty (60) days after the governor receives the affidavit.

(h) Before January 1, 2004, the office shall meet with the board to discuss any changes to other state Medicaid waivers that are necessary to provide services that may not be more restrictive than the services

provided under the CHOICE program. The office shall recommend the changes determined necessary by this subsection to the governor.

(i) The office may adopt rules under IC 4-22-2 necessary to implement this SECTION.

(j) This SECTION expires July 1, 2008.

2003-274-8

SECTION 8. (a) As used in this SECTION, "office" refers to the office of Medicaid policy and planning established by IC 12-8-6-1.

(b) As used in this SECTION, "waiver" refers to a Medicaid waiver approved by the United States Department of Health and Human Services (42 U.S.C. 1396 et seq.).

(c) Before September 1, 2003, the office shall seek approval from the United States Department of Health and Human Services to amend the waiver to modify income eligibility requirements to include spousal impoverishment protection provisions under 42 U.S.C. 1396r-5 that are at least at the level of the spousal impoverishment protections afforded to individuals who reside in health facilities licensed under IC 16-28. The office also shall seek approval for twenty thousand (20,000) additional waiver slots at no additional cost to the state.

(d) The office may not implement the waiver amendments until the office files an affidavit with the governor attesting that the federal waiver amendment applied for under this SECTION is in effect. The office shall file the affidavit under this subsection not later than five (5) days after the office is notified that the waiver amendment is approved.

(e) If the United States Department of Health and Human Services approves the waiver amendment requested under this SECTION and the governor receives the affidavit filed under subsection (d), the office shall implement the waiver amendments not more than sixty (60) days after the governor receives the affidavit.

(f) The office may adopt rules under IC 4-22-2 necessary to implement this SECTION.

(g) This SECTION expires July 1, 2008.

2003-274-9

SECTION 9. (a) As used in this SECTION, "office" refers to the office of Medicaid policy and planning established by IC 12-8-6-1.

(b) An individual who receives Medicaid services through a Medicaid waiver shall receive the following:

(1) The development of a care plan addressing the individual's needs.

(2) Advocacy on behalf of the individual's interests.

(3) The monitoring of the quality of community and home care services provided to the individual.

(4) Information and referral services on community and home care services if the individual is eligible for these services.

(c) The use by or on behalf of an individual receiving Medicaid waiver services of any of the following services or devices does not make the individual ineligible for services under a Medicaid waiver:

- (1) Skilled nursing assistance.
- (2) Supervised community and home care services, including skilled nursing supervision.
- (3) Adaptive medical equipment and devices.
- (4) Adaptive nonmedical equipment and devices.

(d) If necessary to implement this SECTION, the office shall apply to the United States Department of Health and Human Services for an amendment to a Medicaid waiver to comply with this SECTION.

(e) If the office applies for a waiver amendment under subsection (d), the office may not implement the waiver amendment until the office files an affidavit with the governor attesting that the federal waiver applied for under this SECTION is in effect. The office shall file the affidavit under this subsection not later than five (5) days after the office is notified that the waiver is approved.

(f) If the office receives a waiver amendment under this SECTION from the United States Department of Health and Human Services and the governor receives the affidavit filed under subsection (e), the office shall implement the waiver not more than sixty (60) days after the governor receives the affidavit.

(g) The office may adopt rules under IC 4-22-2 necessary to implement this SECTION.

(h) This SECTION expires July 1, 2005.

2003-274-10

SECTION 10. (a) As used in this SECTION, "office" refers to the office of the secretary of family and social services established by IC 12-8-1-1.

(b) Before July 1, 2004, the office shall have self-directed care options services available for:

- (1) the community and home options to institutional care for the elderly and disabled program established by IC 12-10-10-6; and
- (2) a Medicaid waiver;

for an eligible individual who chooses self-directed care services.

(c) This SECTION expires December 31, 2006.

2003-274-11

SECTION 11. (a) The Indiana health facility financing authority created by IC 5-1-16-2(a) is encouraged to work with for profit health facilities and nonprofit organizations that are operating under a joint agreement to convert health facility beds to less intensive care beds through the issuance, sale, or delivery of a bond under IC 5-1-16.

(b) This SECTION expires July 1, 2005.

2003-274-12

SECTION 12. (a) Before December 31, 2003, the secretary of family and social services (IC 12-8-1-2) shall discuss with the community and home options to institutional care for the elderly and disabled (CHOICE) board established by IC 12-10-11-1, and with any other agency, volunteer, volunteer group, faith based group, or

individual that the secretary considers appropriate, the establishment of a system of integrated services, including:

- (1) transportation;
- (2) housing;
- (3) education; and
- (4) workforce development;

to enhance the viability and availability of home and community based care.

(b) The secretary shall report to the governor and the budget committee any recommendations for funding these services.

(c) This SECTION expires December 31, 2004.

2003-274-13

SECTION 13. (a) Before December 31, 2003, the office of the secretary of family and social services (IC 12-8-1-2) and the area agencies on aging shall calculate the number of individuals who may reasonably need care under this act, including the following individuals:

- (1) An individual receiving home and community based services under the community and home options to institutional care for the elderly and disabled (CHOICE) program established by IC 12-10-10-6.
- (2) An individual on the waiting list to receive home and community based services under the CHOICE program.
- (3) An individual receiving home and community based services under a state Medicaid waiver.
- (4) An individual on a Medicaid waiver waiting list to receive home and community based services.
- (5) An individual who receives assisted living services or adult foster care services under a Medicaid waiver.
- (6) An individual residing in a health facility licensed under IC 16-28 who may be appropriately served in a home and community based setting.

(b) Before December 31, 2003, the secretary shall report the findings under subsection (a) to the governor, the budget committee, and the budget agency.

(c) This SECTION expires December 31, 2004.

2003-274-14

SECTION 14. (a) Beginning July 1, 2003, the office of Medicaid policy and planning shall implement a policy that allows the amount of Medicaid funds necessary to provide for services to follow an individual who is transferring from institutional care to Medicaid home and community based care. The amount may not exceed the amount that would have been spent on the individual if the individual had stayed in institutional care.

(b) This SECTION expires July 1, 2005.

2003-276-36

SECTION 36. (a) An advance to a charter school from the department education that is financed by a transfer by the state board of finance from the abandoned property fund established in IC 32-34-1-33 is forgiven.

(b) This SECTION expires June 30, 2005.

2003-276-37

SECTION 37. (a) This SECTION applies only to Campagna Academy Charter School.

(b) Notwithstanding IC 21-3-1.6-1.1(l), as amended by this act, the at risk index for Campagna Academy Charter School equals the weighted average of the at risk indices for the school corporations in which the students who attend Campagna Academy Charter School have legal settlement.

(c) Notwithstanding IC 21-3-1.7-6.7(b), as amended by this act, the index for purposes of IC 21-3-1.7-6.7(c) for Campagna Academy Charter School equals the weighted average of the indices determined under IC 21-3-1.7-6.7(a) for the school corporations in which the students who attend Campagna Academy Charter School have legal settlement.

(d) This SECTION expires June 30, 2005.

2003-276-38

SECTION 38. To the extent possible, if there is a conflict between this act and the provisions of any other act, it is the intent of the general assembly that:

- (1) charter schools be funded under the same formula as other school corporations to the extent of the conflict;
- (2) the two (2) acts be read together consistently and harmoniously; and
- (3) the policies in both acts be implemented into law.

2003-276-39

SECTION 39. (a) Notwithstanding the effective dates of the provisions in HEA 1001(2003) and this act, and excluding the provisions of this act that are applied retroactively to January 1, 2002, for the purposes of calculating and distributing tuition support and other state funding to school corporations, including charter schools, the provisions in HEA 1001(2003) and this act shall be applied retroactively to January 1, 2003.

(b) It is the intent of the general assembly that charter schools and affected school corporations be funded after December 31, 2002, in conformity with school funding formulas in HEA 1001(2003) as enhanced by the provisions of this act. To the extent that a cross reference or an effective date in this act is inconsistent with this intent or in conflict with HEA 1001(2003), the provisions shall be harmonized to effectuate the intent expressed in this SECTION. The legislative services agency shall prepare legislation for introduction in the 2004 session of the general assembly to correct the statutory law to

be in conformity with this SECTION.

2003-277-15

SECTION 15. IC 31-40-1-1.7(b), IC 31-40-1-1.7(d), IC 31-40-2-1(a), IC 31-40-2-1(b), IC 31-40-2-1.5, IC 35-38-2-1(c), IC 35-38-2-1(d), IC 35-38-2-1(e), IC 35-38-2-1(i), IC 35-38-2-1.5, and IC 35-38-2-1.7(b), all as amended by this act, apply only to individuals who are placed on probation after June 30, 2003.

2003-277-16

SECTION 16. (a) Except as provided in subsection (b), the administrative fee deposited into:

- (1) the county supplemental juvenile probation services fund under IC 31-40-2-1;
- (2) the county supplemental adult probation services fund under IC 35-38-2-1(f);
- (3) the local supplemental adult probation services fund under IC 35-38-2-1(g);

as amended by this act shall be used to pay for salary increases required under the salary schedule adopted under IC 36-2-16.5 and IC 11-13-8 that became effective January 1, 2004.

(b) Administrative fees collected that exceed the amount required to pay for salary increases required under the salary schedule adopted under IC 36-2-16.5 and IC 11-13-1-8 may be used in any manner permitted under IC 31-40-2-2, IC 35-38-2-1(f), or IC 35-38-2-1(i).

2003-282-41

SECTION 41. (a) The environmental quality service council shall do the following:

- (1) Monitor the implementation of SECTIONS 21 through 25, 27 through 35, 38, and 39 of this act.
- (2) Review the role of the department of environmental management with respect to action on requests under Section 401 of the Clean Water Act (33 U.S.C. 1341) for certifications concerning projects subject to permit requirements under Section 404 of the Clean Water Act (33 U.S.C. 1344), and recommend whether statutory direction is appropriate or necessary in defining that role.
- (3) Complete its consideration of the options for statutory definition of "private pond" as used in the definition of "waters" in IC 13-11-2-265, as amended by this act, and:
 - (A) recommend an option; and
 - (B) include with the recommendation a statement of rationale for the recommendation.
- (4) Evaluate the tensions between existing programs for wetlands protection and for local drainage and recommend principles and policies for ameliorating those tensions, taking into consideration the rationale and objectives for both programs.
- (5) Submit its final report on the matters described in subdivisions

- (1) through (4) before November 1, 2003, to:
 - (A) the governor; and
 - (B) the executive director of the legislative services agency.
- (b) The environmental quality service council shall:
 - (1) conduct an ongoing evaluation of the implementation of the permit program for state regulated wetlands under IC 13-18-22, as added by this act;
 - (2) recommend any adjustments to the program referred to in subdivision (1) that are considered advisable to improve the operation and effectiveness of the program, consistent with the purpose of providing an efficient permitting process and enhancing the attainment of an overall goal of no net loss of state regulated wetlands; and
 - (3) submit its final report on the matters described in subdivisions (1) and (2) before November 1, 2005, to:
 - (A) the governor; and
 - (B) the executive director of the legislative services agency.
- (c) This SECTION expires January 1, 2006.

2003-282-41

Effective 1-27-2004.

SECTION 41. (a) The environmental quality service council shall do the following:

- (1) Monitor the implementation of SECTIONS 21 through 25, 27 through 35, 38, and 39 of this act.
- (2) Review the role of the department of environmental management with respect to action on requests under Section 401 of the Clean Water Act (33 U.S.C. 1341) for certifications concerning projects subject to permit requirements under Section 404 of the Clean Water Act (33 U.S.C. 1344), and recommend whether statutory direction is appropriate or necessary in defining that role.
- (3) Complete its consideration of the options for statutory definition of "private pond" as used in the definition of "waters" in IC 13-11-2-265, as amended by this act, and:
 - (A) recommend an option; and
 - (B) include with the recommendation a statement of rationale for the recommendation.
- (4) Evaluate the tensions between existing programs for wetlands protection and for local drainage and recommend principles and policies for ameliorating those tensions, taking into consideration the rationale and objectives for both programs.
- (5) Submit its final report on the matters described in subdivisions (1) through (4) before November 1, 2003, to:
 - (A) the governor; and
 - (B) the executive director of the legislative services agency.
- (b) The environmental quality service council shall:
 - (1) conduct an ongoing evaluation of the implementation of the permit program for state regulated wetlands under IC 13-18-22,

as added by this act;

(2) recommend any adjustments to the program referred to in subdivision (1) that are considered advisable to improve the operation and effectiveness of the program, consistent with the purpose of providing an efficient permitting process and enhancing the attainment of an overall goal of no net loss of state regulated wetlands; and

(3) submit its final report on the matters described in subdivisions (1) and (2) before November 1, 2005, to:

(A) the governor; and

(B) the executive director of the legislative services agency.

(c) This SECTION expires January 1, 2006.

2003-283-3

SECTION 3. (a) As used in this SECTION, "commission" refers to the Native American Indian affairs commission established by IC 4-4-31.4-4, as added by this act.

(b) The governor shall make the initial appointments to the commission not later than July 1, 2003. In making an initial appointment, the governor shall indicate the length of the term for which the individual is appointed.

(c) Notwithstanding IC 4-4-31.4-5(c), as added by this act, the initial terms of office for the eight (8) individuals appointed to the commission by the governor are as follows:

(1) Two (2) members appointed under IC 4-4-31.4-5(a)(1), as added by this act, for a term of one (1) year.

(2) One (1) member appointed under IC 4-4-31.4-5(a)(1), as added by this act, and one (1) member appointed under IC 4-4-31.4-5(a)(2), as added by this act, for a term of two (2) years.

(3) Two (2) members appointed under IC 4-4-31.4-5(a)(1), as added by this act, for a term of three (3) years.

(4) One (1) member appointed under IC 4-4-31.4-5(a)(1), as added by this act, for a term of four (4) years.

(5) One (1) member appointed under IC 4-4-31.4-5(a)(2), as added by this act, for a term of four (4) years.

(d) The initial terms begin July 1, 2003.

(e) This SECTION expires July 1, 2007.